

the picture. He was well disposed toward all, had faith in his fellow-men, and they had faith in him. He did not play to the galleries or court spectacular applause, but in a plain and unassuming manner did his duty day by day as he saw it. His head was clear, his heart was warm, and his ideals were high. He was possessed of sound common sense, and when he made up his mind and took a position, he held it with determination and consistency.

That kind of a politician was Mr. FLACK, and these were the qualities of mind and heart which enabled him to retain the confidence of all who knew him well. The town of Waverly, the county of Franklin, the village of Malone, and the Twenty-sixth Congressional district are unusually intelligent and progressive constituencies. They successively and repeatedly honored Mr. FLACK by electing him to office. Why did they do so? He was not a distinguished orator or writer. He was not possessed of those rare intellectual gifts by which some men dazzle and charm multitudes and command their obedience. He was not a man of such means that he could corrupt those electorates, if so disposed. They honored him because they knew and trusted him and because they liked him. He won his way step by step from place to place, always advancing by the sheer force of his good character, common sense, and personal magnetism. He wore his decorations so modestly and gracefully that the people delighted to honor him.

The House of Representatives is a distinguished body, so large that the ordinary Member cuts but little figure. It is governed by traditions, customs, and rules—especially rules. Because of those traditions, customs, and rules, and lack of experience the most brilliant men make but little headway during their first two terms. Mr. FLACK served nearly four years, but he was handicapped by ill health nearly all the time. His colleagues from New York, and others who made his intimate acquaintance, liked, respected, and trusted him. His mind worked on honest lines. His judgment was sound, his conclusions reliable. He was careful, honest, and patriotic. With continued life, health, and service in the Congress he would have worked his way to the front here as in other fields of his activities. But after all his reputation will depend on his work and life at home in Franklin County. Assurance, cheer, and gall count for much on short acquaintance, while only substantial merit assures respect among those who know one well. WILL FLACK was admired and loved by his boyhood playmates and his life-long friends and neighbors. By the good people of Franklin County and beautiful and picturesque Malone he was known, understood, and appreciated. By them he is and will be missed. Their high regard for him in life and deep sorrow for his death bear witness to his worth.

The SPEAKER pro tempore. In pursuance of the orders heretofore made, and as a further mark of respect to the deceased, the House will now stand adjourned until to-morrow at 10 o'clock a. m.

Accordingly (at 4 o'clock and 5 minutes p. m.) the House adjourned.

## SENATE.

MONDAY, February 25, 1907.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The VICE-PRESIDENT. The Journal stands approved.

### ORDER FOR EVENING SESSION.

Mr. LODGE. I move that the Senate take a recess at 6 o'clock until 8.15 this evening.

The motion was agreed to.

Mr. LODGE. I give notice that when the Senate reassembles after the recess I shall ask the Senate to go into executive session to consider important executive business.

### NATIONAL SOCIETY OF DAUGHTERS OF AMERICAN REVOLUTION.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Smithsonian Institution, transmitting, pursuant to law, the ninth annual report of the National Society of the Daughters of the American Revolution; which, with the accompanying report, was ordered to lie on the table and be printed.

### WAADDAAH ISLAND, WASHINGTON.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting an estimate of appropriation for inclusion in the sundry civil appro-

priation bill for the construction of a wharf and store thereon at Waaddah Island, near Neah Bay, Washington, for the use of the Revenue-Cutter Service and Life-Saving Service, etc.; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### IMMIGRANT STATION, HONOLULU, HAWAII.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Commerce and Labor, submitting an estimate of appropriation for an immigrant station at Honolulu, Hawaii, for the purchase of certain property owned by the Territory of Hawaii, the appraised value of which is stated at about \$50,000, etc.; which with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

### INTERNATIONAL CONGRESS OF TUBERCULOSIS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State submitting an estimate of appropriation of \$25,000 to enable the Government to suitably participate in the International Congress of Tuberculosis which will be convened in Washington, September 21 to October 12, 1908; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

### RULES AND REGULATIONS OF POST-OFFICE DEPARTMENT.

The VICE-PRESIDENT laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 1st instant, a copy of the Postal Laws and Regulations, edition of 1902, which contains the laws and regulations governing the Post-Office Department and postal service in its various branches; which, with the accompanying paper, was ordered to lie on the table.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed the bill (S. 5133) to promote the safety of employees and travelers upon railroads by limiting the hours of service of employees thereon, with an amendment, in which it requested the concurrence of the Senate; insists upon its amendment; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEBURN, Mr. SHERMAN, and Mr. DAVEY of Louisiana managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes; in which it requested the concurrence of the Senate.

The message further transmitted to the Senate resolutions commemorative of the life and public services of Hon. RUSSELL A. ALGER, late a Senator from the State of Michigan.

The message also transmitted to the Senate resolutions commemorative of the life and public services of Hon. JOHN H. KETCHAM, late a Representative from the State of New York.

The message further transmitted to the Senate resolutions commemorative of the life and public services of Hon. HENRY C. ADAMS, late a Representative from the State of Wisconsin.

The message also transmitted to the Senate resolutions commemorative of the life and public services of Hon. WILLIAM H. FLACK, late a Representative from the State of New York.

The message further transmitted to the Senate resolutions commemorative of the life and public services of Hon. JOHN F. RIXEY, late a Representative from the State of Virginia.

The message also announced that the House had agreed to a concurrent resolution requesting the President to return the bill (H. R. 21121) granting an increase of pension to Marcus Wood; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills:

S. 4506. An act to provide for the better registration of births in the District of Columbia, and for other purposes;

S. 6993. An act to create the Barnaby road, from its intersection with the Livingston road to the District line, a public highway in the District of Columbia; and

S. 8206. An act for the relief of Elmore A. McKenna, late captain, United States Volunteer Signal Corps.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 22580) making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5290) providing for the allotment and distribution of Indian tribal funds.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

- S. 12. An act granting an increase of pension to Nancy Littlefield;  
 S. 161. An act granting an increase of pension to Ruth E. Rogers;  
 S. 5970. An act granting an increase of pension to Julia A. Horton;  
 S. 5981. An act granting an increase of pension to John H. La Vaque;  
 S. 5992. An act granting an increase of pension to Franklin Craig;  
 S. 6044. An act granting an increase of pension to John H. Arnold;  
 S. 6076. An act granting an increase of pension to John McKnight;  
 S. 6078. An act granting an increase of pension to Elijah B. Hudson;  
 S. 6093. An act granting a pension to Hester A. Collier;  
 S. 6103. An act granting an increase of pension to William P. Visgar;  
 S. 6127. An act granting an increase of pension to John R. Callender;  
 S. 6140. An act granting an increase of pension to Julia A. Birge;  
 S. 6177. An act granting an increase of pension to Louisa Anne Morton;  
 S. 6245. An act granting an increase of pension to Susan Mahany;  
 S. 6281. An act granting an increase of pension to Joseph C. Bowker;  
 S. 6319. An act granting an increase of pension to Angus Fraser;  
 S. 6380. An act granting an increase of pension to Josiah B. Kinsman;  
 S. 6407. An act granting an increase of pension to John M. Smith;  
 S. 6475. An act granting an increase of pension to Harvey Key;  
 S. 6518. An act granting an increase of pension to William H. Stiles;  
 S. 6531. An act granting an increase of pension to Francis A. Dory;  
 S. 6567. An act granting an increase of pension to George C. Gibson;  
 S. 6570. An act granting an increase of pension to George W. Cole;  
 S. 6606. An act granting an increase of pension to Alexander Sholl;  
 S. 6609. An act granting an increase of pension to John Shank;  
 S. 6610. An act granting an increase of pension to Isaac Johnson;  
 S. 6612. An act granting an increase of pension to George H. McClung;  
 S. 6616. An act granting an increase of pension to Jacob P. Crooker;  
 S. 6634. An act granting an increase of pension to John P. Murray;  
 S. 6635. An act granting an increase of pension to John A. Morris;  
 S. 6652. An act granting an increase of pension to Hiram H. Lockwood;  
 S. 6663. An act granting an increase of pension to Thomas M. Chase;  
 S. 6665. An act granting an increase of pension to Samuel B. T. Goodrich;  
 S. 6669. An act granting an increase of pension to Timothy B. Lewis;  
 S. 6672. An act granting an increase of pension to Hannah Peavey;  
 S. 6702. An act granting an increase of pension to Charles E. Du Bois;  
 S. 6711. An act granting an increase of pension to Harvey B. F. Keller;  
 S. 6713. An act granting an increase of pension to James L. Short;

- S. 6724. An act granting a pension to Mary W. Granniss;  
 S. 6726. An act granting an increase of pension to Mary A. Jackson;  
 S. 6731. An act granting an increase of pension to Elizabeth H. Rice;  
 S. 6734. An act granting an increase of pension to John C. Snell;  
 S. 6768. An act granting an increase of pension to John E. Hayes;  
 S. 6774. An act granting an increase of pension to James B. Hackett;  
 S. 6818. An act granting an increase of pension to John E. Anthony;  
 S. 6838. An act granting an increase of pension to Samuel Shepherd;  
 S. 6899. An act granting an increase of pension to George H. Nye;  
 S. 6909. An act granting an increase of pension to William H. Adams;  
 S. 6910. An act granting an increase of pension to George F. Chamberlin;  
 S. 6911. An act granting an increase of pension to George A. Boyle;  
 H. R. 2926. An act for the relief of the heirs of John Smith;  
 H. R. 5169. An act for the relief of W. B. Sutter;  
 H. R. 12858. An act permitting the county of Taos, in the Territory of New Mexico, to refund its indebtedness at a lower rate of interest;  
 H. R. 14464. An act for the relief of Wiley Corbett;  
 H. R. 21574. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes;  
 H. R. 25242. An act to authorize additional aids to navigation in the Light-House Establishment, and for other purposes;  
 H. R. 25475. An act to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906;  
 H. R. 25513. An act extending the time for making final proof in certain desert-land entries;  
 H. R. 25601. An act to repeal the act approved January 22, 1903, granting a pension to Minerva Robinson; and  
 H. J. Res. 223. Joint resolution relating to the holders of medals of honor.

#### PETITIONS AND MEMORIALS.

The VICE-PRESIDENT presented a joint resolution of the legislature of the State of South Dakota; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,  
 DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, STATE OF SOUTH DAKOTA:

I, D. D. WIFF, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 5 as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 19th day of February, 1907.

[SEAL.]

D. D. WIFF, Secretary of State.

A joint resolution memorializing Congress to open Tripp County, S. Dak., to homestead settlement.

Be it resolved by the house of representatives (the senate concurring), That

Whereas there have been introduced into the National Congress certain measures looking to the opening to homestead settlement that part of the Rosebud Reservation, in the State of South Dakota, lying and being in Tripp County, S. Dak.; and

Whereas said county comprises approximately 1,000,000 acres of land which needs only settlement and development to make it productive, and which when opened to settlement will add much to the assessment rolls and population of our great State; and

Whereas a line of railroad is now being constructed to the east boundary of said tract, which will greatly assist in its development as soon as it is opened to settlement; and

Whereas in its present wild state said land brings very little revenue to the Indians, and none whatever to the State: Therefore, be it

Resolved, That we, for the good of the Indians and for the further development of our State, petition the Congress of the United States to hasten to provide ways and means for the early opening of this body of land to homestead settlement under such restrictions and conditions as they may deem wise, and that the secretary of state be authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

M. J. CHANEY,  
 Speaker of the House.

Attest:  
 JAMES W. CONE, Chief Clerk.

HOWARD G. SHOBER,  
 President of the Senate.

Attest:  
 L. M. SIMONS, Secretary of the Senate.



I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as joint resolution No. 5.

JAMES W. CONE, *Chief Clerk.*

STATE OF SOUTH DAKOTA, *Office of the Secretary of State, ss:*

Filed February 19, 1907, at 4:20 o'clock p. m.

D. D. WIFF, *Secretary of State.*

The VICE-PRESIDENT presented a joint resolution of the legislature of South Dakota; which was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,

DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, STATE OF SOUTH DAKOTA:

I, D. D. Wiff, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 11 as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 19th day of February, 1907.

[SEAL.]

D. D. WIFF, *Secretary of State.*

A joint resolution memorializing Congress to pass a law enlarging the powers of the Interstate Commerce Commission, and to keep the highways of commerce open to all upon equal terms.

*Be it resolved by the house of representatives (the senate concurring).* That it is the sense and belief of the legislature of the State of South Dakota that it will be to the best interest of the people of the State and of the United States that Congress enact such laws as will keep the highways of commerce open to all upon equal terms, and to put a complete stop to all rebates and abuses of traffic and of discriminations made to shippers, and to stop all rebates and discriminations of terminal track and sidetrack systems.

*Resolved.* That we most heartily concur in the following expressed opinion of President Roosevelt:

"The Government must in increasing degree supervise and regulate the workings of the railways engaged in interstate commerce, and such increased supervision is the only alternative to an increase of the present evils on the one hand or a still more radical policy on the other."

Therefore we most respectfully petition and request the Congress of the United States to enact such laws as will prevent abuse and discrimination on the highways of commerce and of terminal and sidetrack systems.

*Resolved.* That the Members of Congress from South Dakota are hereby requested to use their influence and best efforts to procure the enactment of such needed legislation.

M. J. CHANEY,  
*Speaker of the House.*

Attest:

JAMES W. CONE, *Chief Clerk.*

Attest:

L. M. SIMONS, *Secretary of the Senate.*

I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as house joint resolution No. 11.

JAMES W. CONE, *Chief Clerk.*

STATE OF SOUTH DAKOTA, *Office Secretary of State, ss:*

Filed February 19, 1907, at 4:20 o'clock p. m.

D. D. WIFF, *Secretary of State.*

The VICE-PRESIDENT presented a concurrent resolution of the legislature of North Dakota; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

Concurrent resolution offered by Mr. Rice indorsing that certain bill pending before Congress forbidding the internal-revenue department to issue liquor licenses in States where prohibition laws prevail to anyone without proof that the applicant has complied with the laws of the State wherein the applicant resides.

*Be it resolved by the senate of the State of North Dakota (the house of representatives concurring).* That the legislative assembly of this State heartily approve and indorse said bill. *Be it*

*Further resolved.* That we recommend the Senators and Representatives in Congress of the State of North Dakota to support the said bill and use their utmost endeavor to secure the passage of the same.

*Resolved further.* That the secretary of state be, and he hereby is, directed to transmit copies of this resolution to the Senate and House of Representatives of the United States, and to the members of said bodies representing this State.

R. S. LEWIS,  
*President of the Senate.*

JAMES W. FOLEY,  
*Secretary of the Senate.*

TREADWELL TWICHELL,  
*Speaker of the House.*

P. D. NORTON,  
*Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota, and was concurred in by the house of representatives.

JAMES W. FOLEY,  
*Secretary of the Senate.*

The VICE-PRESIDENT presented the petitions of Harry B. Smith, Gustav Luders, Glen Macdonough, and Victor Herbert, all of New York City, N. Y., praying for the passage of the so-called "Kittredge copyright bill;" which were ordered to lie on the table.

He also presented a memorial of the Liederkrantz of King-

fisher, Okla., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of South Carolina, Missouri, Illinois, Pennsylvania, Texas, Ohio, Montana, California, New York, Wisconsin, Minnesota, Colorado, Washington, Kentucky, Nebraska, Maryland, New Jersey, Oregon, Connecticut, Indiana, Massachusetts, Oklahoma, Iowa, Michigan, Tennessee, West Virginia, Alabama, Kansas, Louisiana, Vermont, Virginia, Georgia, and the District of Columbia, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GAMBLE. I present a joint resolution of the legislature of South Dakota, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The joint resolution was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,

DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, STATE OF SOUTH DAKOTA:

I, D. D. Wiff, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 11, as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 19th day of February, 1907.

[SEAL.]

D. D. WIFF,  
*Secretary of State.*

A joint resolution memorializing Congress to pass a law enlarging the powers of the Interstate Commerce Commission and to keep the highways of commerce open to all upon equal terms.

*Be it resolved by the house of representatives (the senate concurring).* That it is the sense and belief of the legislature of the State of South Dakota that it will be to the best interest of the people of the State and of the United States that Congress enact such laws as will keep the highways of commerce open to all upon equal terms, and to put a complete stop to all rebates and abuses of traffic and of discriminations made to shippers, and to stop all rebates and discriminations of terminal-track and side-track systems.

*Resolved.* That we most heartily concur in the following expressed opinion of President Roosevelt:

"The Government must in increasing degree supervise and regulate the workings of the railways engaged in interstate commerce, and such increased supervision is the only alternative to an increase of the present evils on the one hand or a still more radical policy on the other."

Therefore we most respectfully petition the Congress of the United States to enact such laws as will prevent abuses and discrimination on the highways of commerce and of terminal and side-track systems.

*Resolved.* That the Members of Congress from South Dakota are hereby requested to use their influence and best effort to procure the enactment of such needed legislation.

M. J. CHANEY,  
*Speaker of the House.*

Attest:

JAMES W. CONE, *Chief Clerk.*

Attest:

L. M. SIMONS, *Secretary of the Senate.*

I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as house joint resolution No. 11.

JAMES W. CONE, *Chief Clerk.*

STATE OF SOUTH DAKOTA, *Office Secretary of State, ss:*

Filed February 19, 1907, at 4:20 o'clock.

D. D. WIFF, *Secretary of State.*

Mr. GAMBLE. I present a joint resolution of the legislature of South Dakota, which I ask may be printed in the RECORD, and referred to the Committee on Public Lands.

The joint resolution was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,

DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, STATE OF SOUTH DAKOTA:

I, D. D. Wiff, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 5 as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre this 19th day of February, 1907.

[SEAL.]

D. D. WIFF, *Secretary of State.*

A joint resolution memorializing Congress to open Tripp County, S. Dak., to homestead settlement.

*Be it resolved by the house of representatives (the senate concurring).* That

Whereas there have been introduced into the National Congress certain measures looking to the opening to homestead settlement that part of the Rosebud Reservation in the State of South Dakota lying and being in Tripp County, S. Dak.; and

Whereas said county comprises approximately 1,000,000 acres of land which needs only settlement and development to make it produc-

tive, and which, when open to settlement, will add much to the assessment rolls and population of our great State; and

Whereas a line of railroad is now being constructed to the east boundary of said tract which will greatly assist in its development as soon as it is opened to settlement; and

Whereas in its present wild state said land brings very little revenue to the Indians and none whatever to the State: Therefore, be it

*Resolved*, That we, for the good of the Indians and for the further development of our State, petition the Congress of the United States to hasten to provide ways and means for the early opening of this body of land to homestead settlement under such restrictions and conditions as they may deem wise, and that the secretary of state be authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

M. J. CHANEY,  
*Speaker of the House.*

Attest:  
JAMES W. CONE, *Chief Clerk.*

HOWARD C. SHOBER,  
*President of the Senate.*

Attest:  
L. M. SIMONS, *Secretary of the Senate.*

I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as joint resolution No. 5.

JAMES W. CONE, *Chief Clerk.*

STATE OF SOUTH DAKOTA, *Office Secretary of State, ss:*

Filed February 19, 1907, at 4.20 o'clock p. m.

D. D. WIFF, *Secretary of State.*

Mr. HANSBROUGH. I present a concurrent resolution of the legislature of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on the Judiciary.

The concurrent resolution was referred to the Committee on the Judiciary and ordered to be printed in the RECORD, as follows:

Concurrent resolution [offered by Mr. Rice] indorsing that certain bill pending before Congress forbidding the Internal-Revenue Department to issue liquor licenses in States where prohibition laws prevail to anyone without proof that the applicant has complied with the laws of the State wherein the applicant resides.

*Be it resolved by the senate of the State of North Dakota (the house of representatives concurring)*, That the legislative assembly of this State heartily approve and indorse said bill.

*Resolved further*, That we recommend the Senators and Representatives in Congress of the State of North Dakota to support the said bill and use their utmost endeavors to secure the passage of the same.

*Resolved further*, That the secretary of state be, and he hereby is, directed to transmit copies of this resolution to the Senate and House of Representatives of the United States and to the Members of said bodies representing this State.

R. S. LEWIS,  
*President of the Senate.*  
JAMES W. FOLEY,  
*Secretary of the Senate.*  
TREADWELL TWICHELL,  
*Speaker of the House.*  
P. D. NORTON,  
*Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the Senate of the tenth legislative assembly of the State of North Dakota and was concurred in by the house of representatives.

JAMES W. FOLEY,  
*Secretary of the Senate.*

Mr. HANSBROUGH presented petitions of sundry citizens of Walhalla, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT presented a petition of the Chamber of Commerce of Utica, N. Y., praying for the enactment of legislation to revise the laws relating to public lands; which was referred to the Committee on Public Lands.

He also presented memorials of sundry citizens of Brooklyn and Lockport, in the State of New York, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

He also presented a petition of sundry musical composers of New York City, N. Y., praying for the enactment of legislation to amend and consolidate the acts respecting copyrights; which was ordered to lie on the table.

He also presented memorials of Skillin Post, No. 47, of Rome; of Dwight Post, No. 109, of Sodus, and of Sydney Post, No. 41, of Ithaca, all of the Department of New York, Grand Army of the Republic, in the State of New York, remonstrating against the enactment of legislation to abolish the pension agencies throughout the country; which were ordered to lie on the table.

He also presented a petition of Local Union No. 27, Coopers' International Union of North America, of New York City, and a petition of Local Union No. 315, Boot and Shoe Workers' Union, of Elmira, N. Y., praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of West Winfield, Cambridge, Manlius, and Easton, all in the State of New

York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of the Woman's Parliamentary Law Club of Parkersburg, W. Va., praying for the enactment of legislation to regulate the employment of child labor; which was ordered to lie on the table.

Mr. KEAN presented petitions of the Central Baptist Church, of Woodbury; of the Kemble Memorial Methodist Episcopal Church, of Woodbury; of the First Baptist Church of Woodbury, and of the Ellis Woman's Christian Temperance Union, of Union, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the State board of agriculture of New Jersey, praying for the adoption of certain amendments to the present denatured alcohol law; which was referred to the Committee on Finance.

Mr. McCUMBER. I present a concurrent resolution of the legislature of North Dakota. The concurrent resolution is very short. I ask that it be printed in the RECORD and referred to the Committee on the Judiciary.

Mr. KEAN. Let the concurrent resolution be read.

There being no objection, the concurrent resolution was read and referred to the Committee on the Judiciary, as follows:

Concurrent resolution offered by Mr. Rice indorsing that certain bill pending before Congress, forbidding the internal-revenue department to issue liquor licenses in States where prohibition laws prevail to anyone without proof that the applicant has complied with the laws of the State wherein the applicant resides.

*Be it resolved by the senate of the State of North Dakota (the house of representatives concurring)*, That the legislative assembly of this State heartily approve and indorse said bill. *Be it*

*Further resolved*, That we recommend the Senators and Representatives in Congress of the State of North Dakota to support the said bill and use their utmost endeavors to secure the passage of the same.

*Resolved further*, That the secretary of state be, and he hereby is, directed to transmit copies of this resolution to the Senate and House of Representatives of the United States and to the members of said bodies representing this State.

R. S. LEWIS,  
*President of the Senate.*  
JAMES W. FOLEY,  
*Secretary of the Senate.*  
TREADWELL TWICHELL,  
*Speaker of the House.*  
P. D. NORTON,  
*Chief Clerk of the House.*

I, James W. Foley, secretary of the senate, do hereby certify that the foregoing concurrent resolution originated in and was adopted by the senate of the tenth legislative assembly of the State of North Dakota and was concurred in by the house of representatives.

JAMES W. FOLEY,  
*Secretary of the Senate.*

Mr. GALLINGER presented petitions of Local Union No. 132, United Garment Workers of America, of Keene; of the Mule Spinners' Local Union, American Federation of Labor, of Manchester, and of Loomfixers' Local Union, No. 548, American Federation of Labor, of Lebanon, all in the State of New Hampshire, praying for the enactment of legislation providing for the protection of labor and industry from the competition of convict labor and prison-made goods; which were referred to the Committee on Education and Labor.

He also presented the petition of James R. Brown, of Washington, D. C., and the petition of William T. White, of Washington, D. C., praying for the enactment of legislation providing for the removal of railroad grade crossings and tracks east of New Jersey avenue to the United States navy-yard in the southeast section of that city; which were referred to the Committee on the District of Columbia.

He also presented petitions of sundry citizens of Newport, of the Woman's Christian Temperance Union of Bristol, and of the congregation of the Methodist Episcopal Church of Bristol, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of Theodore Morse, of New York City, N. Y., praying for the passage of the so-called "Kittredge copyright bill;" which was ordered to lie on the table.

Mr. CULBERSON presented a petition of sundry citizens of Jefferson, Tex., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. SIMMONS presented a petition of sundry citizens of St. Paul, N. C., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented the petition of James E. Hamlin, of North



Carolina, praying for the enactment of legislation for the relief of Joseph V. Cunningham and other officers of the Philippine Volunteers; which was referred to the Committee on Claims.

He also presented a petition of sundry citizens of the State of North Carolina, praying for the enactment of legislation to provide for the reorganization of the personnel of the Navy; which was referred to the Committee on Naval Affairs.

Mr. KITTREDGE. I present a joint resolution of the legislature of South Dakota, which I ask may be printed in the RECORD and referred to the Committee on Interstate Commerce.

The joint resolution was referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,  
DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, STATE OF SOUTH DAKOTA:

I, D. D. Wipf, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of House joint resolution No. 11, as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota. Done at the city of Pierre, this 19th day of February, 1907.

[SEAL.]

D. D. WIPF, Secretary of State.

A joint resolution memorializing Congress to pass a law enlarging the powers of the Interstate Commerce Commission and to keep the highways of commerce open to all upon equal terms.

*Be it resolved by the house of representatives (the senate concurring).* That it is the sense and belief of the legislature of the State of South Dakota that it will be to the best interest of the people of the State and of the United States that Congress enact such laws as will keep the highways of commerce open to all upon equal terms, and to put a complete stop to all rebates and abuses of traffic, and of discriminations made to shippers, and to stop all rebates and discriminations of terminal track and sidetrack systems.

*Resolved.* That we most heartily concur in the following expressed opinion of President Roosevelt:

"The Government must in increasing degree supervise and regulate the workings of the railways engaged in interstate commerce, and such increased supervision is the only alternative to an increase of the present evils on the one hand or a still more radical policy on the other."

Therefore we most respectfully petition and request the Congress of the United States to enact such laws as will prevent abuses and discrimination on the highways of commerce and of terminal and sidetrack systems.

*Resolved.* That the Members of Congress from South Dakota are hereby requested to use their influence and best efforts to procure the enactment of such needed legislation.

M. J. CHANEY,  
Speaker of the House.

Attest:  
JAMES W. CONE, Chief Clerk.

HOWARD C. SHOBER,  
President of the Senate.

Attest:  
L. M. SIMONS, Secretary of the Senate.

I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as "house joint resolution No. 11."

JAMES W. CONE, Chief Clerk.

STATE OF SOUTH DAKOTA, Office Secretary of State, ss:

Filed February 19, 1907, at 4.20 o'clock p. m.

D. D. WIPF, Secretary of State.

Mr. KITTREDGE. I present a joint resolution of the legislature of South Dakota, which I ask may be printed in the RECORD and referred to the Committee on Public Lands.

The joint resolution was referred to the Committee on Public Lands and ordered to be printed in the RECORD, as follows:

STATE OF SOUTH DAKOTA,  
DEPARTMENT OF STATE, SECRETARY'S OFFICE.

UNITED STATES OF AMERICA, State of South Dakota.

I, D. D. Wipf, secretary of state of South Dakota and keeper of the great seal thereof, do hereby certify that the attached instrument of writing is a true and correct copy of house joint resolution No. 5 as passed by the tenth legislative assembly of the State of South Dakota, and of the whole thereof, and has been compared with the original now on file in this office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of South Dakota, done at the city of Pierre this 19th day of February, 1907.

[SEAL.]

D. D. WIPF,  
Secretary of State.

A joint resolution memorializing Congress to open Tripp County, S. Dak., to homestead settlement.

*Be it resolved by the house of representatives (the senate concurring).* That whereas there have been introduced into the National Congress certain measures looking to the opening to homestead settlement that part of the Rosebud Reservation, in the State of South Dakota, lying and being in Tripp County, S. Dak.; and

Whereas said county comprises approximately 1,000,000 acres of land which needs only settlement and development to make it productive, and which when opened to settlement will add much to the assessment rolls and population of our great State; and

Whereas a line of railroad is now being constructed to the east boundary of said tract, which will greatly assist in its development as soon as it is opened to settlement; and

Whereas in its present wild state said land brings very little revenue to the Indians, and none whatever to the State; Therefore, be it

*Resolved.* That we, for the good of the Indians and for the further development of our State, petition the Congress of the United States to

hasten to provide ways and means for the early opening of this body of land to homestead settlement, under such restrictions and conditions as they may deem wise; and

That the secretary of state be authorized and directed to transmit a copy of this resolution to the Speaker of the House of Representatives of the United States and to the President of the Senate.

M. J. CHANEY,  
Speaker of the House.

Attest:  
JAMES W. CONE, Chief Clerk.

HOWARD C. SHOBER,  
President of the Senate.

Attest:  
L. M. SIMONS, Secretary of the Senate.

I hereby certify that the within joint resolution originated in the house of representatives and was known in the house files as "joint resolution No. 5."

JAMES W. CONE, Chief Clerk.

STATE OF SOUTH DAKOTA, Office Secretary of State, ss:

Filed February 19, 1907, at 4.20 p. m.

D. D. WIPF, Secretary of State.

Mr. PERKINS presented a petition of sundry citizens of San Francisco, Pasadena, Los Angeles, and Monrovia, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. HEMENWAY. I present a joint resolution of the legislature of Indiana, which I ask may lie on the table and be printed in the RECORD.

The joint resolution was ordered to lie on the table and be printed in the RECORD, as follows:

Engrossed house concurrent resolution No. 3.

*Be it resolved by the house of representatives of the State of Indiana (the senate concurring therein):*

Whereas an international exposition, to be known as the "Alaska-Yukon Pacific Exposition," will be held at the city of Seattle, Wash., from June 1 to October 15, 1909; and

Whereas the purposes of said exposition are, first, to demonstrate the already great and increasing importance of our commerce with the countries bordering on the Pacific Ocean and to assist in its further development; second, to bring to the notice of the world the resources and possibilities of the Alaska and Yukon territories of the United States and the Dominion of Canada, and, third, to illustrate the marvelous progress of the western market; and

Whereas all lines of American manufacture and production would be benefited by large trade relations between this country and the Pacific Ocean countries and that development of the oriental and South American markets would increase the outlets and enlarge the markets for Indiana for food products, cement, and other products; and

Whereas no exposition has ever been held in the United States having for one of its main objects the promotion of Pacific commerce and advancement of trade with the Pacific coast countries: Therefore,

*Resolved.* That we commend the aims and purposes of this exposition. We believe that it will be of vast value in extending the acquaintance of the Pacific Ocean countries with each other, which will undoubtedly extend our markets, give our merchants a more thorough knowledge of how to secure and hold this trade and assist our Pacific commerce.

*Resolved.* That a copy of this resolution, duly certified by the secretary of the senate and the clerk of the house, shall be transmitted to the President of the Senate of the United States, the Speaker of the House of Representatives, and to each Senator and Member of Congress from Indiana.

THE STATE OF INDIANA, ss:

We, the undersigned, the secretary of the senate and the principal clerk of the house of the sixty-fifth general assembly of the State of Indiana, do hereby certify that engrossed house concurrent resolution No. 3 was adopted by the said house on February 2, 1907, and was adopted by the said senate on February 15, 1907.

In witness whereof we have hereunto subscribed our names this February 19, 1907.

JULIAN D. HOGATE,  
Secretary of Senate.  
M. S. HASTINGS,  
Principal Clerk of the House.

Mr. HEMENWAY. I present a resolution of the legislature of the State of Indiana, which I ask may be printed in the RECORD and referred to the Committee on Commerce.

The joint resolution was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Engrossed senate concurrent resolution No. 7.

Whereas the proposed deep waterway from the Great Lakes to the Gulf would be of great commercial benefit and advantage to the State of Indiana: Therefore, be it

*Resolved by the senate (the house concurring).* That the Senators and Representatives of the State of Indiana in the Congress of the United States are respectfully requested to promote and support such measures as would look to the construction and maintenance of such deep waterway from the Great Lakes to the Gulf.

This is to certify that the foregoing is an exact copy of engrossed senate concurrent resolution No. 7.

JULIAN D. HOGATE,  
Secretary of Senate.  
M. S. HASTINGS,  
Clerk of House.

Mr. BURKETT presented petitions of sundry citizens of Lincoln, Beatrice, and Kenesaw, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PROCTOR presented the memorial of Mrs. E. H. Knight, representative of the National Consumers' League and Federated

Women's Clubs of Laramie, Wyo., remonstrating against the adoption of a certain amendment to the agricultural appropriation bill relative to the expenditure of money for aiding State officials to carry into effect the present pure-food law; which was ordered to lie on the table.

Mr. KNOX presented petitions of Keystone Lodge, No. 147, International Brotherhood of Boiler Makers and Iron-Ship Builders and Helpers of America, of Susquehanna; Local Union No. 52, United Garment Workers of America, of Scranton; Local Union No. 141, Boot and Shoe Workers' Union, of Philadelphia; Knowlton & Co., Philadelphia; Independence Lodge, No. 44, Amalgamated Association of Iron, Steel, and Tin Workers of the United States, of Berwick, all in the State of Pennsylvania, praying for the enactment of legislation providing for the protection of labor and industries from the competition of convict labor and manufactures; which were referred to the Committee on Education and Labor.

He also presented memorials of C. L. Woodward & Son, of Shunk, and of 32 citizens of Sunbury, in the State of Pennsylvania, remonstrating against the enactment of legislation requiring certain places of business in the District of Columbia to be closed on Sunday; which were referred to the Committee on the District of Columbia.

#### REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 8542) to authorize W. D. Clay and others to select lands in lieu of lands purchased by the father of said parties from the United States Government and lost by said heirs, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 24374) to fix the boundaries of lands of certain land-owners and entrymen adjoining the Coeur d'Alene Indian Reservation, reported it without amendment, and submitted a report thereon.

Mr. DANIEL, from the Committee on Education and Labor, to whom was referred the bill (S. 8303) to establish the Foundation for the Promotion of Industrial Peace, reported it without amendment, and submitted a report thereon.

#### ESTATE OF SAMUEL GARLAND.

Mr. STONE. By direction of the Committee on Indian Affairs, I report back favorably without amendment the bill (S. 8426) authorizing the Court of Claims to hear and adjudicate the claims of Samuel Garland, deceased, against the Choctaw Nation, and I submit a report thereon. It is a bill of one section, and I ask unanimous consent for its present consideration.

The Secretary read the bill.

Mr. KEAN. The bill provides for rendering a judgment?

Mr. STONE. It does.

Mr. KEAN. I think it had better go to the Calendar.

The VICE-PRESIDENT. The bill will go to the Calendar.

Mr. STONE subsequently said: A moment ago I asked for the present consideration of Senate bill 8426. The Senator from New Jersey [Mr. KEAN] asked that it might go over. I have explained to him since as I do to the Senate now that at the last session an exactly similar bill was passed by Congress, referring the claim of another party to the Court of Claims in the very language of this bill. The two claims are identical and are connected. By some oversight the name of the beneficiary mentioned in this bill was left out of the other, and this is simply to supply that omission so that both claims may go to the Court of Claims. The Senator from New Jersey having withdrawn his objection, I ask that the bill may be now considered.

There being no objection, the bill was considered as in Committee of the Whole.

Mr. FULTON. I inquire from what committee the bill comes?

The VICE-PRESIDENT. From the Committee on Indian Affairs.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### GRANT OF LANDS TO BOULDER, COLO.

Mr. PATTERSON. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 22599) to grant certain lands to the city of Boulder, Colo., to report it favorably without amendment, and I ask unanimous consent, for its immediate consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### SOUTHERN UTE INDIAN RESERVATION LANDS.

Mr. PATTERSON. I report back favorably from the Committee on Public Lands, without amendment, the bill (H. R. 24134) providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation in Colorado, and I submit a report thereon. I ask for the present consideration of the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. PATTERSON subsequently said: I desire to enter a motion to reconsider the vote by which the bill (H. R. 24134) providing for the granting and patenting to the State of Colorado desert lands formerly in the Southern Ute Indian Reservation in Colorado, was passed this morning.

The VICE-PRESIDENT. The motion to reconsider will be entered.

#### PRINTING AND DISTRIBUTION OF DOCUMENTS.

Mr. PLATT. I ask unanimous consent for the present consideration of Senate bill 8510.

Mr. McCUMBER. On account of other bills that have to be considered, I hope we will continue with the morning business in the regular order until it is disposed of.

The VICE-PRESIDENT. Is there objection to the reading of the bill for the information of the Senate?

Mr. McCUMBER. Unless there are special reasons why we should consider the bill, I must object.

Mr. PLATT. It is a short bill, and will not consume much time.

Mr. TILLMAN. I will consent to the consideration of this bill, but I will not consent to the consideration of any other until we get through with the morning business.

Mr. PROCTOR. I call for the regular order.

The VICE-PRESIDENT. The Senator from Vermont calls for the regular order.

#### ADDITIONAL DISTRICT JUDGE IN CALIFORNIA.

Mr. SPOONER. I am directed by the Committee on the Judiciary to report back favorably without amendment the bill (S. 7759) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of California. I ask for the present consideration of the bill. It will take but a moment.

Mr. McCUMBER. I understand that objection has been raised right along to the consideration of bills when they were reported, and it certainly would be unjust to the rest to allow a bill reported to be considered and not relieve the others from the same rule.

The VICE-PRESIDENT. Objection is made to the request of the Senator from Wisconsin.

Mr. SPOONER. I have just come into the Senate. I was not aware of previous objections.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

#### RULES AND REGULATIONS OF EXECUTIVE DEPARTMENTS.

Mr. HEYBURN. Mr. President, I rise to an inquiry as to what reports have been received pursuant to the resolution of the Senate of February 1, calling for copies of the rules and regulations of the Departments. I will ask information as to what Departments have reported pursuant to those resolutions.

The VICE-PRESIDENT. The Chair is advised that reports have been received from the Department of Justice, the Department of Agriculture, the Postmaster-General, and the Department of Commerce and Labor.

Mr. HEYBURN. I desire to request, if it is in order, that the Secretary of the Senate be directed to notify the Departments—or remind them rather—that have not yet responded to the resolution in order that proper proceedings may be had in the Senate for the purpose of procuring a response to the resolutions of the Senate.

Mr. GALLINGER. I will ask what is the order of business?

The VICE-PRESIDENT. Reports of committees are in order.

Mr. HEYBURN. I take it this is a privileged inquiry that I may make at any time during the morning hour, as to whether there is a response from a Department of the Government that has been directed to report to the Senate. I therefore ask for an order that the Secretary of the Senate communicate with the Departments and inquire as to why a report has not been received.

Mr. SPOONER. I think the better way would be for the Senator to introduce another resolution. I presume it could be passed this morning. It is entirely an innovation to direct an



officer of the Senate to communicate for the Senate with the Department. I hardly think that that is the proper course to pursue.

Mr. HEYBURN. I was in some doubt as to what might be the proper course, because it is not at all usual for the Departments to neglect to respond to a resolution of the Senate.

Mr. SPOONER. It has occurred before a number of times, and other resolutions have been passed, one, I think, calling for the reasons. I think the course suggested by the Senator is one hardly dignified and proper for the Senate to adopt. If he will introduce another resolution addressed to the Departments which have not replied, it will be an indication to them that the Senate desires this information and desires it promptly, and that would be the better course.

Mr. HEYBURN. I will adopt the suggestion of the Senator from Wisconsin. It is one of those cases that seldom arises, and I merely indicated the Secretary as the ordinary officer through whom the correspondence of the Senate passes.

Mr. ALLISON. I should be glad to have the resolution of February 1 asking for this information read, that we may know what it is.

The VICE-PRESIDENT. The Secretary will read the resolution.

The SECRETARY. The resolution of February 1 reads as follows:

*Resolved*, That the Secretary of the Treasury be requested to furnish to the Senate for its information a copy of the rules and regulations governing the Treasury Department in its various branches.

Resolutions exactly similarly worded were sent to the Attorney-General, the Secretary of State, the Postmaster-General, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of Commerce and Labor.

Mr. ALLISON. I have no doubt that the answers are in course of preparation, and I am told that some have been sent in. Certainly we ought not to doubt that the Departments are doing what they can to comply with the resolutions.

Mr. HEYBURN. Four of them, I will say, have been sent in. Some of those rules and regulations were particularly important in the discussion in which we have been engaged. While I consider that discussion practically closed and that the necessity for those rules and regulations has in a measure passed, yet it seems to me that three weeks would be a reasonable time in which to prepare the reply.

I regard this as of sufficient importance to claim the attention of the Senate until it is settled. I think I am within the regular order, for that matter. But I will prepare the resolutions as suggested, directed to the Departments that have not responded, and offer them at a later time during the day.

WILLIAM O. BEALL.

Mr. CLAPP. I ask for an order which I think may properly come under the head of reports of committees.

Some days ago the Secretary of the Interior submitted a report to the Senate and asked that the papers be returned as soon as the Senate was through with them. I have had the report printed, and I now move that the Secretary be instructed to return the papers to the Secretary of the Interior.

The VICE-PRESIDENT. Without objection, it is so ordered.

#### COURTS IN NORTH CAROLINA.

Mr. PETTUS. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 23391) to change the time of holding the United States district and circuit courts in the eastern district of North Carolina, and to provide for the appointment of a clerk of the courts at Washington, N. C., to report it favorably without amendment.

Mr. SIMMONS. I ask unanimous consent for the consideration of the bill just reported by the junior Senator from Alabama.

The VICE-PRESIDENT. If there be no objection, the bill will be read for the information of the Senate.

Mr. LODGE. Is that morning business?

The VICE-PRESIDENT. It is a report just made by the Committee on the Judiciary.

Mr. SIMMONS. I will state to the Senator from Massachusetts that it is simply a bill to change the time of holding courts to meet an emergency.

The VICE-PRESIDENT. The Secretary will read the bill.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Mr. SIMMONS introduced a bill (S. 8566) granting an increase of pension to Noah Greer; which was read twice by its

title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LONG introduced a bill (S. 8567) to provide for the purchase of a site and the erection of a public building thereon at Wellington, Kans.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McCUMBER introduced a bill (S. 8568) granting an increase of pension to Rosanna A. May; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LATIMER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (S. 8569) permitting the building of a dam across the Savannah River at McDaniel Shoals;

A bill (S. 8570) permitting the building of a dam across the Savannah River at Turner Shoals;

A bill (S. 8571) permitting the building of a dam across the Savannah River at Middleton Shoals; and

A bill (S. 8572) permitting the building of a dam across the Savannah River at Andersonville Shoals.

Mr. LATIMER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 8573) for the relief of the heirs of Mitchell King;

A bill (S. 8574) for the relief of James Marsh; and

A bill (S. 8575) for the relief of Robert Adger, executor and trustee of the estate of James Adger, deceased (with an accompanying paper).

Mr. LODGE introduced a bill (S. 8576) granting authority to the United States circuit court for the eastern district of Pennsylvania to substitute the names of new defendants in certain suits now pending before it; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 8577) permitting the erection of a dam across Coosa River, Alabama, at the place selected for Lock No. 12 on said river; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULBERSON (by request) introduced a bill (S. 8578) for the relief of the estate of R. S. Simonton; which was read twice by its title, and referred to the Committee on Claims.

#### AMENDMENTS TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. LODGE submitted an amendment proposing to appropriate \$50,000 for the construction of a light-ship to be placed near the eastern end of Hedge Fence Shoal, Vineyard Sound, Massachusetts, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

He also submitted an amendment proposing that \$5,000 be paid from the permanent appropriation for expenses of regulating immigration in order to enable the President to ascertain the conditions existing under which, in the last proviso of the first section of the act to regulate immigration, approved February 20, 1907, it is made his duty to refuse to permit aliens therein described to enter the continental territory of the United States, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

He also submitted an amendment relative to the acquisition of certain pieces and parcels of land lying in the vicinity of Massachusetts avenue and Rock Creek to become a part of Rock Creek Park, District of Columbia, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. KEAN submitted an amendment proposing to appropriate \$200,000 for gauging the streams and determining the water supply of the United States, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. CARTER submitted an amendment proposing to appropriate \$50,000 for the purchase of a permanent water supply, with land appurtenant thereto, and to purchase material and construct a water plant for the supply of Fort William Henry Harrison, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. MILLARD submitted an amendment proposing to appropriate \$150,000 to cover the necessary expense of additional buildings and equipment for the signal station of the United States Army at Fort Omaha, Nebr., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. CLAY submitted an amendment proposing to appropriate \$1,333,000 for the purchase of certain land in the District of Columbia for park purposes, etc., intended to be proposed by

him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to appropriate \$500 to ascertain and reestablish the lines of the military reservation at the island of Mackinac, Michigan, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

He also submitted an amendment proposing to appropriate \$100,000 for the construction of a light-house and a fog-signal station of the second order to be located at the easterly end of Gull Island, Apostle group, westerly end of Lake Superior, Wisconsin, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. LATIMER submitted an amendment relative to the admission to practice before the United States court for China of all members of the bar of the Supreme Court of the United States or of the supreme court of any State or Territory, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. SCOTT submitted an amendment proposing to appropriate \$15,000 for the acquisition of a site for a public building at Fairmont, W. Va., and \$15,000 for the acquisition of a site for a public building at Grafton, W. Va., etc., and also \$1,333,000 for the purchase of certain land in the District of Columbia for park purposes, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations.

Mr. DANIEL submitted an amendment proposing to appropriate \$70,000 in addition to the sum of \$80,000 already appropriated by the act of June 30, 1906, for the extension and enlargement of the United States building which contains the United States court rooms, clerk's office, and post-office at Lynchburg, Va., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

#### AMENDMENT OF THE RULES.

Mr. PETTUS submitted the following resolution; which was referred to the Committee on Rules:

*Resolved*, That the first part of the nineteenth standing rule of the Senate be amended by inserting therein, after the words "shall first address the Presiding Officer," the words following: "nor shall such interruption be made for nor extend to debate."

#### RULES AND REGULATIONS OF EXECUTIVE DEPARTMENTS.

Mr. HEYBURN submitted the following resolutions for consideration:

*Resolved*, That the Secretary of the Treasury be directed to furnish to the Senate, for its information, a copy of all rules and regulations governing the Department in its various branches, pursuant to Senate resolution No. 239.

*Resolved*, That the Secretary of the Interior be directed to furnish to the Senate, for its information, a copy of all rules and regulations governing the Department in its various branches, pursuant to Senate resolution No. 240.

*Resolved*, That the Secretary of State be directed to furnish to the Senate, for its information, a copy of all rules and regulations governing the Department in its various branches, pursuant to Senate resolution No. 241.

Mr. LODGE. Mr. President, four of the Departments have answered. It seems to me that it is very unusual not to give a Department a full opportunity to answer. The resolutions called for a great deal of information, and I should suppose it requires a great deal of work to prepare the returns. It seems to me that it is rather inconsiderate to expect the Departments to meet these resolutions so soon. I ask that the resolutions may go over.

Mr. HEYBURN. I should like to inquire as to whether that is strictly within the rule? The Senate having passed a resolution requesting the information, and almost a month having gone by, I ask whether a resolution instructing a compliance with the order of the Senate heretofore directed to the Department is subject to the rule and must go over?

The VICE-PRESIDENT. The Chair would so hold. These are new resolutions, and under the rule, an objection being made, they must lie over.

Mr. HEYBURN. I shall call up the resolutions to-morrow morning during the morning hour.

#### SPECIAL EMPLOYEES OF EXECUTIVE DEPARTMENTS.

Mr. TILLMAN. Some answers have come in from the Departments to the resolution of February 8, and they have not been printed. They are from the Interstate Commerce Commission, the Treasury Department, and the Interior Department so far.

While I am on my feet I will state that those inquiries are of very great importance in enabling the Committee on Approp-

riations intelligently to make appropriations for special agents and other persons to be employed, and I hope the other bureaus or Departments of the Government will not delay until it is too late for us to get the information for any use at this session. I ask for the adoption of the following order.

The order was read and agreed to, as follows:

*Ordered*, That the communications from the Interstate Commerce Commission of February 15 and 20, 1907; of the Secretary of the Treasury of February 21, 1907, and of the Secretary of the Interior of February 23, 1907, in response to Senate resolutions of February 8 and 14, 1907, making inquiry as to employees, amount paid them, etc., be printed, and referred to the Committee on Appropriations.

#### HEIRS OF PATRICK WHITE.

On motion of Mr. CLARK of Wyoming, it was

*Ordered*, That permission be given to the claimant to withdraw from the files all papers submitted by her in reference to S. 5609, no adverse action having been taken thereon.

#### INDIAN APPROPRIATION BILL.

Mr. CLAPP. Before the close of the morning business I ask leave to call up the conference report on the bill (H. R. 22580) making appropriations for the current and contingent expenses of the Indian Department, for fulfilling treaty stipulations with various Indian tribes, and for other purposes, for the fiscal year ending June 30, 1908. I ask for its adoption.

The VICE-PRESIDENT. The Chair lays the conference report before the Senate. It has heretofore been read. The question is on agreeing to the report.

The report was agreed to.

#### INDIAN TRIBAL FUNDS.

Mr. CLAPP. I also call up the conference report on the bill (H. R. 5290) providing for the allotment and distribution of Indian tribal funds. The report was made on Friday and printed in the Record Saturday morning. I ask for its adoption.

The VICE-PRESIDENT. The Chair lays before the Senate the conference report indicated by the Senator from Minnesota. The question is on agreeing to the report.

The report was agreed to.

#### ADDITIONAL DISTRICT JUDGE IN CALIFORNIA.

Mr. SPOONER. I ask unanimous consent for the present consideration of the bill (S. 7759) to provide for the appointment of an additional district judge in and for the northern judicial district of the State of California.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

#### PRINTING AND DISTRIBUTION OF DOCUMENTS.

Mr. McCUMBER obtained the floor.

Mr. PLATT. With the permission of the Senator from North Dakota, I ask for the present consideration of the bill (S. 8510) to amend an act providing for the public printing and binding and the distribution of public documents.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Printing with amendments.

The first amendment was, on page 3, line 11, after the word "instance," to insert the following additional proviso:

*And provided further*, That nothing in this paragraph shall be held to contravene the provisions of public resolution No. 11, approved March 28, 1904.

The amendment was agreed to.

The next amendment was, on page 6, line 1, after the word "or," to strike out the words "any other" and insert "serial;" so as to read:

If the publication so ordered be an annual report or serial publication originating in or prepared by an Executive Department, bureau, office, commission, or board, it shall not be numbered in the document or report series of either House of Congress, but shall be designated by title, as hereinafter provided. Of all Department reports required by law to be printed, the usual number shall be printed concurrently with the departmental edition.

The amendment was agreed to.

The next amendment was, on page 6, line 13, after the word "others," to insert "if of a general public character;" so as to read:

PAR. 2. In the binding of Congressional numbered documents and reports, every publication of sufficient size on any one subject shall hereafter be bound separately and receive the title suggested by the subject of the volume; and the others, if of a general public character, shall be arranged in convenient volumes and bound in a manner as directed by the Joint Committee on Printing.

The amendment was agreed to.



The next amendment was, on page 6, line 15, after the word "Printing," to insert:

And those not of a general public character shall be delivered to the depositories in unbound form, and ten copies shall be bound and distributed as follows: To the Senate library, three copies; to the House library, three copies; the Library of Congress, three copies, and to the office of the superintendent of documents, one copy.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARCUS WOOD.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives; which was considered by unanimous consent, and agreed to:

*Resolved by the House of Representatives (the Senate concurring), That the President be requested to return the bill (H. R. 21121) entitled "An act granting an increase of pension to Marcus Wood."*

STEAM VESSEL FOR REVENUE-CUTTER SERVICE.

Mr. PERKINS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the amendment of the House to the bill S. 925, "An act authorizing the construction of a steam vessel for the Revenue-Cutter Service of the United States," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House.

S. B. ELKINS,

GEO. C. PERKINS,

S. R. MALLORY,

*Managers on the part of the Senate.*

JAMES R. MANN,

FRANCIS W. CUSHMAN,

W. H. RYAN,

*Managers on the part of the House.*

The report was agreed to.

HOUSE BILL REFERRED.

An act (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

PENSION APPROPRIATION BILL.

Mr. McCUMBER. The Senator from Vermont has courteously agreed that the pending measure, the agricultural appropriation bill, may be temporarily laid aside that I may call up the pension appropriation bill. I therefore call up the bill (H. R. 24640) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1908, and for other purposes, and I ask that the substitute reported with amendments from the committee February 20 may be considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment in the nature of a substitute, and with amendments to the amendment.

Mr. McCUMBER. I ask that the formal reading of the substitute be dispensed with and that it be read for action on the amendments of the committee.

The VICE-PRESIDENT. The Senator from North Dakota asks unanimous consent that the formal reading be dispensed with, that the substitute be read for amendment, and that the amendments of the committee shall first be considered. Without objection, it is so ordered.

The Secretary proceeded to read the proposed substitute.

The first amendment of the Committee on Pensions was, on page 1, line 11, before the word "million," to strike out "thirty-seven" and insert "forty-five;" so as to read:

That the following sums be, and the same are hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1908, and for other purposes, namely:

For Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$145,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately: *And provided further*, That hereafter the age of 62 years and over shall be considered a permanent specific disability within the meaning of the pension laws.

The amendment to the amendment was agreed to.

The next amendment to the amendment was, on page 2, line 6, after the word "laws," to insert:

*And provided further*, That the benefits of the act of February 6, 1907, entitled "An act granting pensions to certain enlisted men, soldiers, and officers who served in the civil war and the war with Mexico," are hereby extended to include any person who served the period of time therein specified during the late civil war or in the war with Mexico and who is now or may hereafter become entitled to pension under the acts of June 27, 1890, February 15, 1895, and the joint resolution of July 1, 1902, or the acts of January 29, 1887, March 3, 1891, and February 17, 1897.

The amendment to the amendment was agreed to.

The next amendment to the amendment was, on page 4, to strike out lines 8 and 9, as follows:

For salary of one agent for the payment of pensions, \$4,000.

And in lieu thereof to insert:

For salaries of eighteen agents for the payment of pensions, at \$4,000 each, \$72,000.

So as to read:

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1908, \$600,000. And each member of each examining board shall, as now authorized by law, receive the sum of \$2 for the examination of each applicant whenever five or a less number shall be examined on any one day, and \$1 for the examination of each additional applicant on such day: *Provided*, That if twenty or more applicants appear on one day, no fewer than twenty shall, if practicable, be examined on said day, and that if fewer examinations be then made, twenty or more having appeared, then there shall be paid for the first examinations made on the next examination day the fee of \$1 only until twenty examinations shall have been made: *Provided further*, That no fee shall be paid to any member of an examining board unless personally present and assisting in the examination of applicant: *And provided further*, That the report of such examining surgeons shall specifically state the rating which in their judgment the applicant is entitled to, and the report of such examining surgeons shall specifically and accurately set forth the physical condition of the applicant, each and every existing disability being fully and carefully described. The reports of the special examiners of the Bureau of Pensions shall be open to inspection and copy by the applicant or his attorney, under such rules and regulations as the Secretary of the Interior may prescribe: *And provided further*, That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in securing the introduction of a bill or the passage thereof through Congress granting pension or increase of pension; and any person who shall, directly or indirectly, contract for, demand, receive, or retain any compensation for such services shall be deemed guilty of an offense, and upon conviction thereof shall, for each and every such offense, be fined not exceeding \$500 or imprisonment not exceeding two years, or both, in the discretion of the court.

For salaries of eighteen agents for the payment of pensions, at \$4,000 each, \$72,000.

The amendment to the amendment was agreed to.

The next amendment to the amendment was, on page 4, line 13, after the word "services," to strike out "two hundred and fifty" and insert "in the pension agencies, four hundred and thirty-five;" in line 16, after the word "services," to insert "for each;" and in the same line, after the word "agency," to insert "shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency and the salaries paid;" so as to read:

For clerk hire and other services in the pension agencies, \$435,000: *Provided*, That the amount of clerk hire and other services for each agency shall be apportioned as nearly as practicable in proportion to the number of pensioners paid at each agency, and the salaries paid shall be subject to the approval of the Secretary of the Interior.

The amendment to the amendment was agreed to.

The next amendment to the amendment was, on page 4, after line 19, to insert:

For rent, New York agency, \$4,500.

For examination and inspection of pension agencies, as provided by the final provision of the act of August 8, 1882, amending section 4766, Revised Statutes, \$1,500.

So as to read:

For rent, New York agency, \$4,500.

For examination and inspection of pension agencies, as provided by the final provision of the act of August 8, 1882, amending section 4766, Revised Statutes, \$1,500.

For stationery and other necessary expenses, \$30,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I now ask that the Senate proceed to the consideration of the agricultural appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908.

Mr. PROCTOR. The pending amendment is on page 41, line 5.

Mr. DEPEW. Mr. President—

The VICE-PRESIDENT. Does the Senator from Vermont yield to the Senator from New York?

Mr. PROCTOR. I can not yield, except for morning business.

Mr. DEPEW. I gave notice on Friday last, Mr. President, that I desired to address the Senate this morning.

Mr. PROCTOR. I think the Senator will not be delayed beyond a short time. I have had several requests, but it is impossible to yield for anything except morning business.

Mr. DEPEW. If it is the agricultural appropriation bill which the Senator desires to proceed with, it will take all day.

Mr. PATTERSON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Vermont yield to the Senator from Colorado?

Mr. PROCTOR. I will yield to the Senator from New York [Mr. DEPEW], who, I understand, had previously given notice of his intention to address the Senate this morning.

Mr. DEPEW. I did.

Mr. PROCTOR. Then I yield to the Senator.

#### ELASTICITY IN THE CURRENCY.

Mr. DEPEW. Mr. President, I call up the resolution offered by me on February 21, 1907.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution submitted by the Senator from New York, which will be read.

The Secretary read the resolution submitted by Mr. DEPEW February 21, 1907, as follows:

*Resolved*, That the Committee on Finance be authorized to investigate and report what legislation, if any, may be necessary in relation to the deposit of public moneys and the issue of currency to prevent conditions of abnormal and dangerous rates of interest at certain periods of the year and provide such elasticity in the currency that it will be more responsive to the conditions of business.

Mr. DEPEW. Mr. President, I know of no legislation more important than the passage of measures for the relief of our monetary conditions, and to give greater elasticity to our currency. Our whole industrial and commercial fabric rests necessarily upon a financial policy and practice in accord with sound principles. No one pretends that our present method of hoarding public money and keeping it out of use and circulation is either wise or economical. Everyone conversant with affairs admits the need of more elasticity in our currency. We have been doing business, and almost miraculously succeeding in it, upon makeshifts brought about by political bitterness and party passion on the one hand and a device to meet an immediate financial crisis on the other.

A brief review of the situation will demonstrate our condition and its needs. There is an almost passionate feeling in the country that we should become a world power in all that phrase means. In national wealth, in marvelous productiveness, in agriculture and manufacture, in ability to command markets by the genius, skill, and industry of our citizens, and in the unparalleled opportunities which are here afforded, we are in a commanding position. We are isolated from attack and invulnerable because of our situation and resources.

Our Navy commands peace and our diplomacy has been brilliantly effective in maintaining it, but the flag upon our battle ships is about the only evidence in the ports and harbors of the world of our ability as a sea power. Our commerce is carried under alien flags and in foreign ships, whose officers are necessarily more friendly to their own people than to ours. No nation can hold a first place whose goods and mails are dependent upon foreigners for transportation; but, apart from that and for immediate consideration, we must deal with a Chinese wall and triple-barred gates, built about that natural flow of money to meet industrial and commercial necessities, which prevent our having the place which our resources should command of financial supremacy. Passion, rather than a careful study of the lesson of successful practices in other highly developed countries, has governed our legislation.

Alexander Hamilton was one of the most marvelous creative geniuses the world has ever known. At 17 he so clearly stated the underlying principles of the American Revolution as to command the attention of all the colonies; while not yet 30 his contributions to the Federalist remain still a guide and text-book, and his labors in the New York Convention and the Constitutional Convention contributed more than those of any other to the Constitution of the United States.

When Robert Morris, the Philadelphia banker, was patriotically financing the Revolution, Hamilton, then in the army and only 23, formulated a plan which if adopted would have prevented the collapse of the Continental currency. When he became Secretary of the Treasury, in the cabinet of General Washington, he devised our system for treasury and customs, which has expanded, but has not been altered from his day, and made the

report to Congress upon manufactures which has been the basis of all tariff legislation and of development under the tariff from his day until ours. He saw, with the prophetic vision with which he was gifted, that a country like ours, of undeveloped resources, must have a system of protection until it should be self-sustaining in every department. He saw that the country, with its vast undeveloped wealth in forests, mines, and agriculture, and its limitless possibilities in manufactures, must, to attain perfect results, have a sound and scientific financial system, both as regards the money collected by the Government and the issue of currency.

At this point, unhappily, came the breach between the ideas of Hamilton and Jefferson, which has retarded our growth, antagonized the people at different times for a century, and, culminating in the civil war, in an undreamed-of centralization of power, continues still to vex our politics and our policies.

The first national bank was the product of the teachings of Hamilton, and during its existence a most efficient help to both the Government and the people. The persistent opposition of Jeffersonian principles refused it a new charter, though its enemies, who declared the whole legislation which created it vicious and unconstitutional, did not hesitate when in power to put into the Treasury the \$573,000 profit which the Government made by the sale of the stock the Government owned, through an advance of 28.7 per cent upon the original investment, because of the admirable management and beneficent influence of the bank.

It took a panic, which shattered the credit of the Government and ruined the business of the people, to bring about the organization of a second national bank. This, like the first, was founded upon sound principles, and proved to be a great success. Through it the money collected from the people for customs and taxes was available for the people's use. Through it and its branches the Government had an agency by which it could use its credit to advantage for a market for Government bonds at an advantageous rate of interest. Through it the people had a circulating medium which contracted and expanded according to the necessities of trade; but Jeremiah Mason, standing beside Daniel Webster in reputation and ability, as president of a branch bank at Portsmouth, N. H., incurred the hostility of the Jethro Bass of that period, if I may quote from Winston Churchill's novel, and he immediately declared war upon the national bank. Practical politicians, impractical theorists, and ambitious statesmen saw in this question an opportunity to create a popular issue against corporate wealth.

Andrew Jackson, one of the strongest characters in our public life, a man of dauntless courage, audacity, and ineradicable prejudices, was made to believe by these strong and able men about him that the bank had been made a political machine for his overthrow. After four years of determined warfare he drove the bank out of business. Then came the panic of '37, in which practically the whole country was sold under the hammer. Then we had the device of State banks for the deposit of public moneys and for circulating medium under charters which differed as widely as the States, until by the failure of many of such banks, which were often speculative political enterprises, the Government lost large sums of money and the business of the country was deranged. Then we had the subtreasury scheme for locking Government money up and so far as national legislation was concerned the States were left to themselves to provide currency. Wise scientific methods were adopted in New England, under the Suffolk bank system, in New York and Indiana and in some other States, but in still other States there was wild-cat banking and the so-styled yellow dog and pup currency, always uncertain and often of no value, which demoralized business everywhere, and when the panic of '57 came there were no banking means of preventing or controlling it.

When it became necessary for the preservation of the nation during the civil war, that money should be had for carrying it on, our helplessness, because we had no financial or banking machinery which the Government could use, nearly lost us the battle. From the necessities of the hour the present system of national banking was inaugurated mainly for the purpose of creating a market for the sale of the bonds of the Government. To still further provide money the Government issued an irredeemable currency which fluctuated between par and 40 cents on the dollar, and under it the war cost a thousand millions of dollars more than if we had been upon a proper basis.

When the civil war closed we had for our industrial and financial necessities in the upbuilding from its ravages the system of locking up Government money, and issuing an irredeemable currency. The wildest speculation of our time ensued and then followed the panic of 1873, the most disastrous, the



most revolutionary, the most ruinous which any civilized country has experienced, and at the same time helpful in its results. But time has demonstrated that no mistakes of legislation or of unwise practice by the Government can permanently check our national development with our limitless resources and opportunities, and our people possessing the ability to adapt themselves to any conditions and the energy to rise triumphant out of difficulties and misfortunes.

Our lessons are not to be derived from the marvels done, but the greater marvels possible if we had been wise. The wheat fields of the West, and the mines in the mountains and in the bowels of the earth were productive with primitive appliances and hand-power, but it is invention, steam, and electricity, which have brought about present results in spite of the deficiencies of our fiscal system and its unscientific methods.

Ever since the destruction of the national bank by the refusal to renew its charter and the fierce political controversies which followed there has been a prejudice against banks and bankers. It is still too strong to revive in any form the old national bank. Ignorance on this subject has been the fruitful source of a library of loose literature.

As illustrating how little of sensible discussion and how much of bitter politics only there was in the debate on the question of the renewal of the charter of the national bank, I quote from the remarks of Congressman Desha, of Kentucky, who said:

The question was whether we will foster a viper in the bosom of our country that will spread its deadly venom on the land and finally affect the vitals of our republican institutions, or whether we will, as is our duty, apply the proper antidote by a refusal to renew the charter, thereby checking the cankerous poison. He thought the bonus offered by the bank was a bribe offered to the nation. He had no doubt that George III was a principal stockholder in the bank, and that the English monarch regarded it as an instrument in effecting his nefarious purposes against the United States, and would bid up several millions of dollars rather than not to have the charter renewed. This is a safer method than encountering Americans in arms. Of that we made him extremely tired when we were in a state of infancy.

Old George the Third was at that time a lunatic.

A member of the committee on banks in the New York legislature, who was engaged in other business where he required the use of his credit to furnish him with capital, and this capital could only be had from the banks, seriously inquired of me whether it would not be both justifiable and wise to enact a law to compel banks to discount notes but prohibit their charging interest.

First, as to Government deposits. The practice has so far relaxed as to permit receipts coming from other sources than customs to be deposited in the banks. The customs receipts, however, which last year were over three hundred millions of dollars, are immediately locked up and that currency taken out of circulation. There are times when this hoard of the circulating medium amounts to two hundred and sixty millions of dollars. It is never less than twelve millions, and the average is greatly in excess of this minimum.

The Secretary of the Treasury in times of great financial disasters from want of currency takes out a portion of this money and deposits it temporarily in banks which are Government depositories. It is done under a power which has been questioned. There should be no question whatever upon a transaction of this nature. It should not rest absolutely in the discretion of any one man, no matter how able, how pure, or how great, to contract or expand the currency. This power has never been abused, but there is always the possibility of scandal even when not abused. The market responds instantly and prior knowledge means a fortune.

In every civilized country except ours money, when collected by the government, is immediately deposited in the banks. There is no disturbance whatever in the natural flow of the current. Suppose the one hundred and thirty millions of dollars which are collected in October and November in New York City should be locked up; suppose this practice should prevail in every city, village, and town in the United States. The disastrous consequences to business would be beyond calculation. There can be no question as to the safety of these deposits. If there was the Government would have no right to make any at all. Under our national banking system failures are few in proportion to the number of banks and the amount of deposits. It is possible always to secure the Government, and it is a remarkable fact that the few banks which have failed have paid an average of 78 per cent to all classes of their creditors; but, with the rigid examinations now in force and the penalties which are provided for neglect or mismanagement, it is almost impossible for a bank to fail. The adoption of the practice by the Government, which prevails in the fiscal transaction of every city, village, and township, would at once give a measure of

relief by preventing arbitrary contraction, bad at all times, and in periods of financial stringency periling the whole fabric of credit.

The currency of other countries are bank notes and gold and silver coin, but we have one thousand five hundred million dollars of gold certificates, five hundred million dollars of silver certificates, three hundred and fifty million dollars of greenbacks, and five hundred million dollars of bank notes secured by the deposit of Government bonds with the Government. These silver certificates are a reminder of the crises and crazes through which we have passed, of the fallacies of fiat money and fluctuating silver as a standard of value, which nearly captured the country in the frenzied efforts to make it so. It is safe to say that with a scientific system of currency circulation we never would have had the fiat money and silver delusions which came near wrecking our industries and destroying our prosperity.

We are the only one of the highly organized financial and industrial countries which has a currency absolutely inelastic; a currency which responds in no way to the requirements of business or to the needs of the people. Our interest rates fluctuate from 1 per cent to 125 per cent per annum, but the volume of our currency never changes. In England, France, Germany, Scotland, and Canada the volume of currency contracts or expands automatically according to the needs of business, while interest rates never fluctuate more than 2 or 3 per cent.

The German banks have a currency based upon assets, which, up to one hundred and thirty-five millions, are untaxed, and beyond that subject to a tax of 5 per cent. During most of the year the amount issued is less than the untaxed limit, and it is rare that it exceeds it. If it does it is only for an emergency which may last a week or less. There is no effort on the part of the bank to put the currency out or call it in, but it goes out or is redeemed as business requires. The same is true with France, where the currency is not taxed to the authorized limit of one thousand four hundred millions of dollars, and the amount issued has never reached anywhere near this limit. The volume of it contracts or expands automatically according to the requirements of the people. In Canada the banks are authorized to issue a credit currency based upon their assets to 100 per cent of their capital. This currency is taxed less than 1 per cent for the purpose of furnishing a guaranty fund for banks which may fail. The amount of notes outstanding has never been equal to the limit authorized. In the fall conditions exist the same as with us. Then there is a marked increase in the amounts paid out by the banks. When the emergency is over and the demand ceases the notes return to the banks for redemption and the circulation is decreased by that amount. Under these systems the average life of the notes of France and Germany is about ten days; of Scotland, eighteen days; of the Canadian banks, thirty days, while the notes of our national-banking system remain out on an average of seven hundred and thirty days or two years. The limited time that the notes remain out in countries which have a scientific system of banking indicates its immediate response to the needs of the community.

The fact that our currency remains out until the paper is used up shows that it does not respond at all to the fluctuating demands of our business. In all great manufacturing and producing countries the conditions are practically the same, only differing in degree. On account of the extent of our territory, the volume and variety of our products, and the tremendous volume of our internal commerce, the demand fluctuates much more widely than in these older countries. Commencing with the cotton crop in the South and continuing with wheat and corn in the West and Northwest, farmers require currency with which to pay their help and conduct their harvesting operations. This demand is estimated at anywhere between one hundred and fifty and two hundred millions of dollars. The local bank has a part of its reserve with its reserve agents in reserve cities, and they have part of their reserve in the central reserve cities of New York, Chicago, and St. Louis. The demand for the currency made by the farmer at his local institution goes to these reserve banks and then to the reserve cities of New York, Chicago, and St. Louis. The demand must be responded to immediately, and this vast sum of currency is taken out of these centers and shipped bodily for distribution all over the country. As it comes out of the reserve of lawful money it results in the contraction of credits to four times the amount called for, which in no case will be less than six hundred millions and which often reaches eight hundred millions of dollars.

No wonder when this contraction of eight hundred millions of credit takes place and demand loans are called in and accommodations refused that money rises by leaps and bounds to 10, 20, 50, and 100 per cent a year. The usurer has his opportunity,

the bank which is run for speculative purposes reaps its harvest, business contracts, disasters come, houses which require credit and are entitled to it can not secure loans, the wheels of industry slacken, the worker's time is reduced, and the effects reach every home, from the banker to the merchant, from the merchant to the manufacturer, and from the manufacturer to the farmer and the artisan.

When the crop harvest is over and the farmer receives his money he deposits it in the country bank and the reverse process is gone through. It is returned to the reserve cities first and then to the central reserve cities of New York, Chicago, and St. Louis. In the effort to put out this redundancy, interest rates go down to 1 and 2 per cent, there is a carnival of speculation and a subsequent harvest of disasters and distrust.

This has occurred year after year since the civil war. It increases with the growth of business. It is the incident, not the accident, of our banking system, but politics, ancient and modern, and century-old prejudices, accentuated by demagogues and doctrinaires, have prevented any remedies.

The percentage of contraction and expansion in Scotland and Ireland would, if applied to our currency, be \$90,000,000, and in Canada, so applied, would be \$165,000,000 yearly—quite sufficient for our needs. We are out of competition for leadership in the world's markets and controllership of the world's financial transactions. The old world will be fearless of the advance in our material interests so long as there is no corresponding progress and development in our financial system and tools of trade and commerce.

The recommendations from the committee of the Associated Bankers of the United States and from the Chamber of Commerce of New York are substantially the same, and are as follows:

First. Any national bank having been actively doing business for one year and having a surplus fund equal to 20 per cent of its capital shall have authority to issue credit notes as follows, subject to the rules and regulations to be determined by the Comptroller of the Currency:

(a) An amount equal to 40 per cent of its bond-secured circulation, but not to exceed 25 per cent of its capital, subject to a tax at the rate of 2½ per cent per annum upon the average amount outstanding. *Provided*, That if at any time in the future the present proportion of the total outstanding unmatured United States bonds to the total capitalization of all going national banks shall diminish, then the authorized issue of credit notes shall be increased to a correspondingly greater percentage of its bond-secured notes.

(b) A further amount equal to 12½ per cent of its capital, subject to a tax at the rate of 5 per cent per annum upon the average amount outstanding in excess of the amount first mentioned.

The total of credit notes and bond-secured notes shall not exceed the capital.

Second. The same reserves shall be carried against credit notes as are required by law to be carried against deposits.

Third. The taxes provided upon credit notes shall be paid in gold to the Treasurer of the United States, and shall constitute a guaranty fund for the redemption of notes of failed banks, and for the payment of the expenses of printing and the cost of redemption. In order that the guaranty fund may be ample from the beginning, any bank making application to take out credit notes for issue shall deposit with the Treasurer of the United States in gold an amount equal to 5 per cent thereof. The unused portion of this initial payment shall be an asset of the contributing banks, respectively, and shall be refunded from time to time when this may be done without reducing the guaranty fund below an amount equal to 5 per cent of the credit notes taken out.

Fourth. The Comptroller of the Currency shall designate numerous redemption cities conveniently located in the various parts of the country. Through the agency of the banks in such cities adequate facilities shall be provided for active daily redemption of credit notes.

Fifth. The provision of existing law limiting the retirement of bond-secured notes to \$3,000,000 per month shall be repealed.

Sixth. All public moneys above a reasonable working balance, from whatever source derived, shall be currently deposited from day to day in national banks without requiring collateral security or special guaranty therefor, but in no case shall the balance carried with any bank exceed 50 per cent of the capital thereof. All banks receiving such public moneys on deposit shall pay into the United States Treasury interest thereon at the rate of 2 per cent per annum.

It is well to consider what are the claims to consideration by Congress of the gentlemen who ask this legislation—what do they represent, and what is their expert knowledge? They are

the Chamber of Commerce of New York and associated bankers of the country.

The Chamber of Commerce is the oldest commercial organization in the United States. For more than a century it has worked for the best interests of our internal and foreign commerce. It includes in its membership leaders in every department of commercial and industrial activity. Their names are synonymous with banking, mercantile, and manufacturing probability and success in our own country and abroad. Citizens from every State in the Union are in its councils and participate in its deliberations.

The crisis became so acute and the peril so great last year, with money ruling over 100 per cent, that the New York Chamber of Commerce was moved as rarely ever before to consider the causes of the trouble and their remedies. After an inquiry covering the whole field of financial legislation in the United States and currency conditions in Europe and Canada, the Chamber of Commerce came unanimously to the conclusions substantially embodied in the recommendations which I have stated. The efficiency, the success, and the solvency of our national banks demonstrate the ability and honesty of those who manage them, and a committee representing these six hundred and odd institutions came practically unanimously to the same conclusions. It is rare, from so many independent and able thinkers and practical men, to find such unanimity. It is safe to say that these two bodies voice the best judgment and the highest and most intelligent expression of the people's thought on this grave subject.

Though the banks can now issue currency secured by Government bonds in the Treasury to the full amount of their capital, only 62 per cent of that amount has been issued. The reason is plain, that owing to the price of Government bonds and the expenses incident to the present system currency is not as profitable to many of the banks as other business which they are permitted to do. Bankers and bank directors do not differ from farmers or manufacturers or merchants in the conduct of their affairs. They do not feel authorized to employ the money of their stockholders or risk the cash of their depositors in any enterprise which does not make a profit. Experience has demonstrated that this bond-secured currency, instead of being responsive to commercial needs, fluctuates according to the price of United States bonds in the market. The holdings of the banks represent so large an amount of the national debt that they keep the price of the bonds at present figures, and it would be disturbing to the stability of business and credit if there was a radical change, which would permit or compel the throwing of this volume of Government obligations on the market. But the proposal of these committees conserves existing conditions and only adds privileges and powers which will enable the banks—in a word, entice banks—to issue additional currency within the limits of the present law, which will be sufficiently elastic to prevent annual perils due to the present unscientific system.

It is conceded that the present currency secured by Government bonds is absolutely and uncontroversially safe. The question arises whether credit currency can be equally safe. We can not idly dismiss the experience of nearly one hundred years and the lessons it teaches. That experience has demonstrated that upon the lines of these recommendations credit currency is perfectly safe, that it has never failed either to meet commercial demands or to be redeemed at its face value. Scotland, Ireland, Germany, France, and Canada are living witnesses. We can recall examples from the past in our country. The Suffolk system lasted for about forty years. Through it all banks in New England issued credit currency under a plan by which the Suffolk Bank, of Boston, was the redemption agency. The amount of currency issued by these banks fluctuated widely, according to the monthly needs of the communities where they were situated, but it never reached one-half the amount authorized by law, thus showing that no inflation is possible, because it does not pay, and that issues in this elastic system will go out or come back according to the conditions of commerce.

The State bank of Indiana was a brilliant example in the same direction, and the safety fund banks in New York would have offered no exception, except that the tax intended by its originators to be a safety fund for currency alone was held by the chancellor to apply to all obligations of the banks. It has been estimated that if the currency of the banks which have failed in the forty years of the national banking system had not been secured by Government bonds, but the bill holders were forced to take their chances with other creditors in the general assets of the bank, the loss would have been about five millions of dollars. It has also been estimated in regard to the safety of this credit currency that the tax upon the circulation dur-



ing the same period, of 1 per cent up to 1900, and one-half of 1 per cent since, if applied as a safety fund, would have yielded nearly ninety millions of dollars with which to meet this five millions of loss. In addition to this guaranty fund nearly twenty times greater than demanded for safety, upon the calculation of averages by which life insurance lives, there is also provided a reserve of 25 per cent in lawful money.

The fact that a tax of 2½ per cent upon the first 25 per cent and 5 per cent upon the balance would make the credit currency unprofitable, except in times of extreme stringency and high rates of interest, would force the return of these notes for redemption as rapidly as the profitable need for their use ceased. Under the present system of bond-secured notes redemption is very slow, because, in the first place, there is a limit allowing only three millions a month to be redeemed, and because of transportation and other expenses; but the new system provides that there shall be numerous redemption agencies with adequate facilities for the active daily redemption of credit notes, that there shall be no expense for transportation to the shipper, and that the redemption agencies shall never be more than twenty-four hours from the issuing bank. All these are elements which insure elasticity by the speed, ease, and inexpensiveness of issue and redemption.

A brief review of the progress of the country during the forty years of our present system presents an illuminating contrast between our country's growth, expansion, and necessities and the ironclad limitations of the system upon which our business depends. Happily for our business and the possibility of conducting it under present conditions, 95 per cent of the vast transactions of trade and production are carried on by checks. They are almost the sole medium in commercial centers. They duplicate and reduplicate in manifold forms the deposits upon which they are drawn. There is no difference in a bank's obligation to its depositor or to its note holder, who equally rely upon the credit of the bank, its management, and its 25 per cent reserve, except that the note holder is better off than the depositor, because he will have a guaranty fund in the hands of the Government which absolutely secures his safety.

The greater the commerce internal and external, the greater the productiveness of the farms and mines, the greater the output of the factories, and the larger the demands upon transportation facilities by rail and water, the more need there is for a sound and scientific financial system upon which these factors of wealth, prosperity, development, and employment depend. It can almost be said that the advance of the country has been due to the ingenuity of its bankers and business men, by their checks, drafts, and clearing-house certificates, in spite of Government hoarded money and inelastic currency.

Since 1870 the value of farm properties has increased from nine thousand millions to twenty-seven thousand millions of dollars, and the number of people engaged in agriculture from six millions to nearly twelve millions. Since 1870 the value of farm products has grown from two thousand millions to seven thousand millions of dollars. From 1870 our railroad mileage has increased from fifty-three thousand to two hundred and twenty-three thousand, or, with double tracks and sidings, to about three hundred and fifteen thousand miles.

Our population has increased from thirty-one and a half millions in 1860 to eighty-five millions in 1906. From the production in 1860 of 821,000 tons of iron, the basis of most manufactures, our iron production has grown to 25,000,000 tons, or nearly one-half of the world's output, and we have made a proportionate advance in steel. From about 50,000,000 of tons of coal in 1860 the production has grown to 425,000,000 in 1906. In petroleum and copper productiveness has been equally marvelous. Petroleum came upon the market at the commencement of the civil war with a limited demand, while now there is an output of 134,000,000 barrels per year; and copper has increased from an inappreciable amount in 1860 to over 420,000 tons in 1906. Our mineral products have advanced from not over \$250,000,000 in value in 1870 to \$1,400,000,000 in 1906.

We furnish 80 per cent of the world's supply of cotton, and incident to our own use of this and other materials our manufacturing interests have developed from 140,000 manufactories of various kinds in 1860, to over 600,000 in 1906; from 1,311,000 employees to over 6,000,000; the capital in these industries has increased from a thousand millions to fourteen thousand millions, and the value of the product of our manufactories from two thousand millions to seventeen thousand millions of dollars. For forty years we were the debtor nation in imports over exports, but since 1900 we are the creditor nation to the extent of between five and six hundred millions a year, and our foreign commerce has grown from fifteen hundred millions in 1880 to three thousand millions in 1906. Bank clearings have more than trebled, and have reached the astounding figure of

about one hundred and forty-five thousand millions. Our deposits in the savings banks have grown since 1880 from eight hundred to over three thousand millions of dollars, and the depositors from two millions three hundred thousand to eight millions.

Mr. President, here is an exhibit unequalled in the ancient, medieval, or modern world in everything which makes a nation great, prosperous, and powerful. This advance is without a parallel, and yet, for two months in every year it is retarded, partially paralyzed, and put in peril. Scientific methods in every department have increased beyond calculation. They have added immeasurably to the productiveness of farms and mines, to the capacity of manufactories, and the facilities of our railroads and steamships. A compromise, makeshift, and unscientific system of finance retards our development at home and our equality abroad. The time has been ripe for years for reform, and the remedy should come as quickly and completely as is the testimony of its needs and the evidence of the ways and means for its accomplishment.

#### AGRICULTURAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 24815) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908.

Mr. PROCTOR. I believe the pending amendment is on page 41, the addition of \$1,000,000.

Mr. HEYBURN. I suggest that we take up the amendment submitted by the Senator from Oregon [Mr. FULTON] and pass upon it.

Mr. PROCTOR. There will be no objection to that. This is a committee amendment.

The VICE-PRESIDENT. The Secretary will state the amendment.

Mr. HEYBURN. Before it is read I will say that by agreement the amendment will terminate with the word "Congress," in line 5. An agreement has been reached among those who have the matter in charge.

The VICE-PRESIDENT. Will the Senator state where the amendment is to be inserted in the last print of the bill?

Mr. HEYBURN. After line 10, on page 43; but I do not intend to disturb the manner of proceeding suggested by the Senator from Vermont in charge of the bill.

Mr. PROCTOR. The Senate committee amendment—

Mr. FULTON. What has been done with this amendment?

Mr. LODGE. It is coming up in a moment.

The SECRETARY. On page 43, after line 10, insert:

*Provided further, That hereafter no forest reserve shall be created, nor shall any additions be made to one heretofore created, within the limits of the States of Oregon, Washington, Idaho, Montana, Colorado, or Wyoming, except by act of Congress.*

Mr. PROCTOR. I understand that the proponent of the amendment proposes to leave off the latter part, leaving the amendment to terminate with the word "Congress."

Mr. PATTERSON. I am not going to urge any objection to the amendment, but I simply want to say that it is a good deal like shutting the stable door after the horse has been stolen. I doubt if the Forestry Service would have the audacity to attempt to set apart any more lands in the States mentioned in the amendment than it has already done. The amendment will not give the people of the States which have been invaded in this way the relief they ought to have, but, as the other Senators are satisfied, I will not make any further objection.

The VICE-PRESIDENT. The question is on agreeing to the amendment which has been stated.

The amendment was agreed to.

Mr. PROCTOR. Next in order is the committee amendment to insert "one million," in line 5, on page 41, of the reprint.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 41, line 5, after the words "necessary expenses," insert "one million."

The amendment was agreed to.

Mr. PROCTOR. In line 18, page 41, before the words "nine hundred," I move to insert "one million;" so as to read "\$1,900,000."

The amendment was agreed to.

The amendment as amended was agreed to.

Mr. PROCTOR. On page 42 the total should be \$2,400,000.

Mr. KEAN. Page 43 of the reprint.

Mr. LODGE. Page 43 of the reprint.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 43, line 11, change the total so as to read "\$2,400,000."

The amendment was agreed to.

Mr. PROCTOR. On page 68, line 16, of the reprint, make the total "\$8,802,690."

The amendment was agreed to.

Mr. PROCTOR. On page 74, at the close of the bill, make the total "\$9,557,690."

The amendment was agreed to.

Mr. PROCTOR. The committee has nothing further to present.

Mr. KITTREDGE. On behalf of the junior Senator from Iowa [Mr. DOLLIVER], who is unavoidably detained, I present an amendment.

The VICE-PRESIDENT. The Senator from South Dakota, on behalf of the Senator from Iowa, proposes an amendment, which will be stated.

The SECRETARY. On page 62, line 16, after the words "care taker," strike out "seven hundred and twenty" and insert "eight hundred and forty;" so as to read "care taker, \$840."

Mr. PROCTOR. There is no objection to the amendment.

The amendment was agreed to.

Mr. KITTREDGE. The total, in line 23, should be changed so as to read "\$31,340."

The amendment was agreed to.

Mr. BEVERIDGE. Is the bill open to amendment?

The VICE-PRESIDENT. The bill is open to amendment.

Mr. BEVERIDGE. I offer the amendment I send to the desk.

The SECRETARY. On page 18, line 12, of the new print, after the word "act" and before the semicolon, insert:

And the date of such inspection and packing or canning.

Mr. BEVERIDGE. As to this amendment, I have been informed and understand pretty generally that there is no objection, and therefore I shall not take any time at all upon the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Indiana.

The amendment was agreed to.

Mr. BEVERIDGE. I offer the amendment I send to the desk.

The SECRETARY. On page 27, after line 4, it is proposed to insert:

That the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1907," approved June 30, 1906, be, and it is hereby, amended by striking out, on page 679, chapter 3913, of the session laws of the first session of the Fifty-ninth Congress, the following words:

"That there is permanently appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000,000, for the expenses of the inspection of cattle, sheep, swine, and goats, and the meat and meat food products thereof which enter into interstate or foreign commerce, and for all expenses necessary to carry into effect the provisions of this act relating to meat inspection, including rent and employment of labor in Washington and elsewhere for each year," and inserting in lieu thereof the following:

"That the Secretary of Agriculture is authorized and directed to prescribe and fix reasonable fees for the inspection and examination of all cattle, sheep, swine, and goats, and meat and meat food products thereof, maintained in accordance with the provisions hereof, which fees shall be fixed by the Secretary of Agriculture at a rate which as nearly as possible will serve only to defray the cost of said inspection and examination; and the said fees shall be uniform throughout the United States, and shall be collected by the Secretary of the Treasury and shall be deposited in the Treasury; and the schedule of such fees, together with the rules and requirements relating to the collection thereof, shall be set forth in the regulations prescribed by the Secretary of Agriculture and approved by the Secretary of Agriculture. The fund thereby created shall be subject to the requisition of the Secretary of Agriculture, as if appropriated by Congress, for the necessary expenses of carrying out the provisions of this act, and shall continue permanently available until used. That this section shall take effect and be in force from and after June 30, 1907; and that nothing herein contained shall be so construed as to in any way affect the appropriation of \$3,000,000 for the inspection of cattle, sheep, swine, and goats, and the meat and meat food products thereof, for the fiscal year ending June 30, 1907."

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. BEVERIDGE. Yes; I yield.

Mr. WARREN. I wish to make a point of order against the amendment, but I do not desire to take the Senator from Indiana off the floor.

Mr. BEVERIDGE. No; I have yielded to the Senator.

Mr. WARREN. But I wish to make the point of order and to withhold it until the Senator from Indiana can be heard.

Mr. BEVERIDGE. I had the floor, and I yielded to the Senator for the purpose of enabling him to give notice that he would make the point of order. I expected it. I will say to the Senator that if he had made the point of order I would have asked him to withhold it until I could submit some remarks.

The VICE-PRESIDENT. The Senator from Indiana has the floor.

Mr. BEVERIDGE. Mr. President, as the memorable fight over the meat bill drew to its close last session I was one of those who advocated as earnestly as I advocated the bill itself that the Senate should agree to the conference report which retained all the bill excepting two points—one the date on the

cans, to which we have agreed this morning, and the other placing the cost of inspection on the packers. This was done to save the bill itself. We were confronted with the alternative of sacrificing these two features or else seeing the whole meat inspection bill killed.

So in the course of some brief remarks that I submitted at that time, which will be found in the RECORD, I said to those from another place who were sitting here watching, that, at the earliest opportunity, the contest for the restoration of those two points would be renewed, and since then publicly in many parts of the country I have said the same thing. So at the beginning of this session I served notice of an intention to offer the two amendments, one of which has been generally concurred in since and has been agreed to this morning and the second of which I have risen to address the Senate briefly upon.

Mr. President, during the whole course of this argument in both Houses and during the whole controversy in the public press I have never yet seen one valid reason why it was that the packers who were to profit by this Government inspection should not pay the cost of that inspection. I have never seen one, I will not say convincing but even tolerable, reason why it is that we should deliberately put our hands into the Treasury of the United States and take out \$3,000,000 every year and practically pay it to the Beef Trust.

SHALL THE PEOPLE OR THE PACKERS PAY COST OF INSPECTION?

This question now is, "Shall we continue to make the people pay for the inspection of the packers' products or shall we change that and now make the packers, instead of the people, pay for that inspection?"

Of course the easy—I had almost said the cheap—argument was almost instantly advanced that the trust would not pay this cost, but that it would take this cost of inspection off of the cattle raiser on the one hand and off of the consumer on the other hand. I remember that my very much admired and eloquent friend from Montana [Mr. CARTER], when making this point, was interrupted by myself when he was pointing out how this would be really a source of great revenue to the Beef Trust, which, of course, we all of us bitterly dislike; and I asked him whether or not the packers constituted an eleemosynary institution and whether he had ever heard of their being against any device by which they might swell their profits. Of course my friend said he had not.

That, Mr. President, was a sufficient thing to reveal the unsoundness of the proposition that really the packers would not pay, but that the cattle grower and the consumer would pay. If by this device the packers not only could put the charge for inspection on others, but could actually swell their own profits by charging many times the cost of inspection, the packers would welcome the enactment of this provision into law instead of resisting it.

Therefore, Mr. President, it occurred to me as quite singular that from the very beginning the chief and only effective resistance to the provision requiring the packers to pay the cost of the inspection which their own fault had caused should be the packers themselves.

Mr. President, this is not a statement made without authority. I said the other day, in addressing the Senate upon the great question of the nation's forest policy, that I should try to make no statement in the Senate that could not be substantiated by testimony. I have here the evidence that the packers would pay the cost of inspection if we put it on them. The question is whether or not the packers—whether or not the Beef Trust—would bear the cost; and in using the term "trust," I do not use it in the demagogic sense. I have no dislike for it as a trust. I have no doubt the great organizations called "trusts" are inevitable and grow out of correct economic principles. What I object to is their wrongs.

Now, Mr. President, it is agreed on all hands that if this disliked Beef Trust does pay this cost, then we ought to put the cost on them; and the only objection is that in reality the Beef Trust does not pay the cost but that the cattleman, the poor fellow out in the West with his uncounted herds and his swollen millions, pays it.

WHAT THE PACKERS' REPRESENTATIVE SAID BEFORE THE HOUSE COMMITTEE.

Before the House Committee on Agriculture the most important witness who appeared was Mr. Wilson, the avowed representative of the Chicago packers. He did not conceal his character. He very frankly said: "I am here to represent the packers," and he was complimented in that committee for the ability with which he presented their cause and his entire frankness, which in his case, as always in all cases, wins the confidence and the esteem of men. He said before that committee the following, and I desire to have the attention of Senators:

The next paragraph is one—



This is Mr. Wilson, the representative of the packers, talking—

The next paragraph is one we do object to, and we object to it very strenuously, and that is the fixing of the expense of this inspection upon the packers.

After that no person can be heard to say here that it is not the packers who are making the fight against this amendment. This is their own authorized representative, the ablest man they could find in their entire employ. Mr. Wilson goes on:

The expense at present is borne by the Government. I do not believe there is another health measure on the statute books where it is different. This would be, to our notion, and as far as we are aware, unprecedented, and therefore unfair.

I will show in a minute that it is not unprecedented:

We are standing to-day—

That is to say, "we, the packers"—

We are standing to-day all the post-mortem condemnations at an expense of in the vicinity of a million dollars a year on these.

Listen, Mr. President:

We stand all that expense.

That is the packers talking.

The farmer, the stock raiser, the stock grower, nor the shipper do not stand any of that. The cattle come in and we buy them and pay for healthy animals. The hogs come in there and we buy them for a product that is fit for food, and it is taken into our houses, and if it is condemned, we lose it, and the aggregate of that loss is in the vicinity of a million dollars a year.

Mr. BROOKS. For each plant?

Mr. WILSON. No, sir; covering the plants that I represent.

So his authority is fastened in what I read to the Senate.

The producer and the consumer get the benefit of that. The consumer is protected in getting wholesome meat, and the producer has the advantage of the inspection in creating foreign markets, and so forth, for his products, and he has no expense; and it hardly would seem reasonable to us that we should have to stand, in addition to the cost of the condemned animals, the expense of the inspection.

He testifies further, because he was particularly repetitious on this point. Mr. Wilson spoke of the German tariff and then, going on, he said:

That was not on the general inspection. That was on a microscopic inspection for trichina, and in an emergency like that one packer might be glad during that period, in order to get the inspection, if it could not be gotten in any other way, to stand the expense; but I am sure there are no packers who would feel like paying this inspection fee.

That is the representative of the packers talking—

Mr. SCOTT—

This is Mr. SCOTT, of Kansas, the member of the Agricultural Committee—

The general belief is, I think, that the packers whom you represent here sufficiently control the cattle market and the beef market so as to make it easy for them to recoup, if they desire to do so, any additional expense that might be put upon them by this inspection. Would you consider that there would be any doubt about your ability to do that?

Now, Mr. President, any person who is going to oppose this amendment must do so in the face of that statement made by the packers themselves formally appearing before a committee of Congress. Here is what Mr. Wilson replied:

Why, yes; I am sure there is very great doubt about the ability to do that; I think it is not possible for the packers to do so.

It is not necessary perhaps to read anything further. This is sufficient, because I wish to be brief. I have a mass of testimony like that. Senators who resist the putting of the cost of inspection upon the packers can do so on whatever ground they please; but, after that, they must not insist that the packers do not pay the cost of inspection and that it will be put upon somebody else, because the accredited representative of the packers appearing before the House committee upon this particular point said that the packers would have to pay it, and that they objected to it, and he gave the reasons why the packers think it is unfair.

WHY DO THE PACKERS OBJECT IF THEY DON'T PAY THE COST?

Mr. President, there is another reason, a reason that would be absolutely conclusive in trying a case before a jury or in presenting the facts in a case in equity before a judge. The motives of men are really the key to all their conduct. If the packers do not pay the cost of inspection, if not only not paying the cost of inspection they can create a device to make larger profits for themselves out of the cattlemen on the one hand and the consumer on the other, then, why is it that the packers are the men who from the first have resisted this provision?

If the Beef Trust is not hurt, what is the motive for its opposition? If, as has been argued and must be, the Beef Trust not only is not hurt, but is actually benefited, because it gets back not only the cost of inspection, but a great deal more, then why have these gentlemen, whom nobody ever yet heard were bright and shining examples of unselfishness, from the start most bitterly resisted this? That they have done so can not be denied

in the face of the statement of their representative made formally before the House committee.

ABSURDITY OF CONTENTION THAT PACKERS WILL PUT COST ON OTHERS.

But, Mr. President, if this direct testimony of the packers' representative himself, that it would be they and not the people who would pay the cost, was not before us; if the convincing argument that they would have no motive for resisting the cost if it did not come out of their pockets were not before us; there is another simple, common-sense argument that ought to be conclusive to the mind of any thinking man. Doctor Melvin testified before the House committee that the cost of inspection was absurdly low, much lower than we thought last year, from 2½ cents per head up to 5 cents a head. Is it within the limits of anybody's credulity that 5 cents can be so distributed over a 1,600-pound steer by the Beef Trust that buys it from the cattleman that the Beef Trust can say to the cattleman, "I will reduce the price on your steer so much of a fraction of a pound; I will scatter 2½ or 5 cents over 1,600 pounds of beef and pay you that much less?" It is not a practicable proposition. It is not business. It is not possible, and it is not true. The same thing is true of a hog weighing 400 pounds and a sheep weighing less.

So, Mr. President, it is not possible that this comparatively slight cost should be taken out of the cattlemen. But, suppose it were—suppose we concede that for the sake of argument.

The VICE-PRESIDENT. The hour of 1 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated by the Secretary.

The SECRETARY. A bill (H. R. 13566) to amend sections 6 and 12 of the currency act approved March 14, 1900.

Mr. SPOONER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The VICE-PRESIDENT. Without objection, it is so ordered. The Senator from Indiana will proceed.

SUPPOSE THE CATTLE KINGS PAY.

Mr. BEVERIDGE. Mr. President, I desire to leave on record no ground either of fact or reason for any opposition to this amendment on the ground that we are doing a wrong either to the packers or to the cattlemen. So let us assume, for the sake of argument—and for the sake of argument only, for it is not true as a matter of fact—that the great growers of cattle on the ranges would have to pay the cost; for, as the Senator from Minnesota [Mr. NELSON] said last year, with a vigor that amounted almost to bitterness, it was the range cattlemen who were resisting this, in conjunction with the Beef Trust. Suppose, for the sake of argument, that they do have to pay this miserable 2½ or 5 cents for the inspection of a steer, in order that the American people may not be fed tuberculosis and trichina beef and pork; is that a hardship on or an injustice to them?

Their profits are perfectly enormous, and I am glad of it, but is it wrong in justice and in policy, even if they have to pay this 2½ or 5 cents for inspecting a steer weighing 1,500 pounds, that they should do it? Even if the range cattlemen pay, why, as a matter of justice, should not the range cattlemen pay for the determination by the Government as to whether or not the cattle they are trying to sell to the American people are healthful or poisonous? Why should the people pay for finding out whether or not a cow or a steer from their herds has tuberculosis—an animal which will scatter the seeds of death throughout the country?

So, even if it be true, which the packers' representative says it is not, and which reason proves to be impossible, that this cost would go upon the cattlemen—there are only a few of them, comparatively speaking, because that industry, like any other industry, has been concentrated into the hands of a few great holders—why should they not pay for the necessity of finding out whether the cattle they send to the markets of the country are fit for food or agents of death? Why should the people pay for that? Will the Senator from Wyoming [Mr. WARREN], who gives notice of his point of order, answer that?

No! Mr. President, we have seen that the Beef Trust would pay it. The Trust's representative says so. We have seen that the Beef Trust would pay it, because the Trust is the chief force resisting it. We see that the Beef Trust does pay it, because it is unthinkable that this small sum can be scattered over the hundreds of pounds of a steer or hog. But even if the Trust does not pay and the cattlemen do pay, still as a matter of justice why should they not pay instead of the great body of the people?

NON-MEAT EATERS AS WELL AS MEAT-EATERS NOW PAY.

Out of whose pockets, Mr. President, do these \$3,000,000 this year and \$5,000,000 next year come? Out of the pockets of our entire 90,000,000, does it not? But not all of our 90,000,000 eat meat. A great body of them eat no meat at all,

and yet to protect the packers or the cattlemen you compel a great body of the people who eat no meat at all and are not a bit interested in this matter to pay the taxes out of their pockets instead of compelling the packers or the cattlemen to pay the cost out of their pockets.

The people who eat no meat are not even interested or affected. The cattlemen and the Beef Trust are both interested and affected. Yet you take the \$3,000,000 proportionately out of the pockets of people who eat no meat as well as out of the pockets of people who do eat meat, in order to let your hand rest lightly upon those impecunious organizations known as the "Beef Trust" and the "Cattle Growers' Association."

Can any Senator justify in reason or conscience such legislation as that? If in this Senate Chamber of ninety men ten of us eat no meat and the rest do, is there any reason for the protection of one that the ten who eat none should help to pay the taxes that that one ought to pay, and the payment of which benefits him and him only?

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. SIMMONS in the chair). Does the Senator from Indiana yield to the Senator from New Hampshire?

Mr. BEVERIDGE. Certainly.

Mr. GALLINGER. I cooperated with the Senator from Indiana last session to secure the adoption of an amendment along the line he is now arguing. I have been out of the Chamber from necessity, attending to other business. I understood the Senator a moment ago to say that notice was given that a point of order would be made against his amendment. Am I correct?

Mr. BEVERIDGE. Yes.

THIS FIGHT WILL GO ON.

Mr. GALLINGER. Now, I wish to make a suggestion to the Senator. If he is to-day defeated in his contention by a point of order, which I apprehend will lie against the amendment, I trust he will take up this matter at an early day of the next session and let us fight this thing to a finish and see whether the American people are going to be taxed for this matter, which belongs, in my judgment, to the packers and to the producers of beef and pork, and let us ascertain how the Congress stands on that question after proper debate and due consideration. I trust the Senator will do that.

Mr. BEVERIDGE. I am very thankful to the Senator, and I will say to him I shall adopt his suggestion if it be true that this amendment meets an untoward fate. I shall hope, in view of the great public exigency and in view of the history of this law, that the Chair will see fit to submit the point of order to the Senate, so that the Senate may face it. I will say to the Senator that I will accept his suggestion, and I now serve notice on this floor that at the earliest day of the next session this fight will be renewed—renewed then and renewed hereafter until the American people themselves can pass upon this question. I am very much obliged to the Senator, indeed, for calling my attention to it.

Now, in this connection, having demonstrated as a matter of testimony as well as a matter of reason—the accuracy of which testimony no man can deny and the soundness of which reason can not be confuted here—I will make a test of the sincerity of those who think that the cost may actually be put upon the range cattlemen of the West. It is said that it will be put upon them by charging off of the beef the amount of inspection. I remember the evolution of that explanation. When the bill was first proposed they said that the Beef Trust will put this charge off on the cattle grower and the poor farmer and the consumer.

OFFER TO ACCEPT AMENDMENT.

But the moment it was pointed out to them that it would be rather difficult to distribute from 2½ to 5 cents over the hundreds of pounds of a steer or hog, they saw the absurdity of that argument, and then this new argument was advanced—and it is the argument we are confronted with to-day—that on every carload of cattle shipped to the packers they would take off in their charges, in their bill in payment for the cattle, various items, among which would be for cost of inspection so much, and in that way they would get that off of the cattle growers.

Now, if any person advancing that argument is sincere, if it is not true, as is generally believed, that there is an understanding between the packers on the one hand and the great cattle growers on the other, I put them to this test: *Let them propose an amendment to this amendment forbidding the packers from charging off the cost of inspection, and I will immediately agree to it.* If that challenge is not accepted the sincerity of the whole contention that the packers would not pay this cost falls to the ground.

Mr. President, the same is true with the consumer, but there is another reason. The time was, of course, when these great organizations of capital raised or lowered prices with impunity.

They took advantage of every excuse for squeezing an extra cent out of the pockets of the people. But that time has passed, because they have found that any such ruthless and inexcusable robbery as that is instantly met by the proposition of remedial legislation, and that such a battle as that does not stop until they are confronted with laws on the Republic's statute books which remedy that evil.

I do not think in the present temper of the public mind you are going to find the Beef Trust availing itself of the opportunity, even if it had it, which it has not, of raising the price of beef or lowering the price of beef on this particular account. As I shall show you in a moment, bitterly as they resisted this law, now that it is in effect they would not have it repealed for millions of dollars.

THE LAW AN ADVERTISEMENT WORTH MILLIONS TO THE PACKERS.

Why, Mr. President, would they not? The Senator from Vermont [Mr. PROCTOR], the chairman of this committee, was the first man to point out why the packers when the law was actually on the statute book would be its most earnest supporters, and his prophecy has come true. Has anybody heard of any packer questioning the constitutionality of this law in the courts, this law which great constitutional lawyers declare was unconstitutional? Has there been another attempt, like there was in Kansas City over the first meat-inspection law in this country, to overturn this law? Does any Senator think that that is on account of any delicacy in the hearts of the packers or any forbearance toward the Government of the United States? No. Why are they not opposed to the law, now that we have put the cost of inspection on the people? Because the most beneficial thing that ever happened to them after they were put to the inconvenience of cleaning their plants, was the advertisement which this law gives them. That was pointed out at the beginning of this fight by the Senator from Vermont last session.

The Government of the United States, in protecting millions of American people who eat meat from the death that was being spread broadcast by the packers, afforded the packers an advertisement worth not figuratively, but literally, millions of dollars every year. To-day every citizen of the United States knows when he buys any beef or when he buys a can of meat food products that it has been passed upon by the experts of the National Government. That is so recognized by the packers, and they have put an advertisement like this [exhibiting] in all the widely circulated periodicals of the country. I want to read it. It is so large that the entire Senate can see it. I am reading, Senators, from an advertisement in one of the most widely circulated periodicals in America:

### "U. S. Inspected and Passed"

Under the Act of Congress of June 30, 1906."

THESE are the words that must be attached to every article of meat and meat food products offered for sale in interstate and foreign commerce. This is the law of the United States. Its purpose is to assure the public that only sound and wholesome meat and meat food products may be offered for sale.

It is a wise law. Its enforcement must be universal and uniform. The public is greatly interested in this law and will closely watch its workings and its effects.

You are familiar with the metallic tap-top of the machinist when he inspects the wheels of the railway coach; you are familiar with the methods employed in the inspection of gas meters, street lamps, street car indicators, telephones, and many other forms of commercial and public activity. We should like to make familiar to you just what "U. S. Inspected and Passed" means as applied to Swift & Company, who supply a large proportion of the meats and meat food products consumed in America.

There is only one absolutely satisfactory method by which you can obtain this familiarity, and that is by seeing the law put to the daily test.

Swift & Company cordially invite you to visit any of their modern packing plants at Chicago, Kansas City, Omaha, St. Louis, St. Joseph, St. Paul, or Fort Worth, and see the United States Government, through its in-

spectors, carrying out the provisions of the act of Congress of June 30, 1906.

Any person who is unable to visit one of the Swift packing plants, where we dress and prepare for market Beef, Mutton, Pork, Veal, Poultry, Hams, Bacon, Lard, Sausage, and other meat food products, will be cordially received at any of the Swift distributing houses—we have them in nearly every city in the United States and Great Britain—where U. S. Government Inspection will be explained and demonstrated. You, as a user of meats, lard, and other food supplies, are vitally interested in the products prepared by Swift & Company. We believe that you will, when you see how effectively we are carrying out the regulations of the Secretary of Agriculture, always mentally associate "U. S. Inspected" and the name of "Swift" with everything that is good, wholesome and appetizing in meat and meat food products. Our packing plants are always open to the public. No passes are required and no introduction is needed to secure admission. Polite attendants, who will cheerfully answer questions and give information, will be found in every department. We sincerely wish you to know all about Government Inspection—wish you to know just what it means to you as a consumer—and the best way to know is to see it in operation in one of Swift & Company's establishments.



Fac-Simile of the Government Inspection Label on Swift's Wrapped Smoked Meats.

SWIFT & COMPANY, U. S. A.  
By LOUIS F. SWIFT, President.



Mr. President, that is one advertisement like a great many, and it is not necessary, of course, for me to read more, though I have a large number of them here which the various companies which constitute this meat trust have scattered broadcast over the country; in other words—and I am sorry that it is lunch hour, for every Senator before he votes upon this ought to hear and consider these statements—the United States Government has given to the Beef Trust of this country an advertisement which it recognizes as being worth millions of dollars a year to them.

THIS ADVERTISEMENT NOW PAID FOR BY THE PEOPLE.

We not only give it this advertisement, but we pay it \$3,000,000 of the people's money in addition. Can any Senator justify that? You could not purchase with any sum of money an advertisement such as we have afforded the trust, and a sample of which I have just read to the Senate. It absolutely could not be purchased by any financial resources; but we, the representatives of the people, give it to the packers, and present them, in addition, with \$3,000,000 of the people's money for their own purposes.

I have heard within the last three or four days some very impassioned declarations about the necessity for economy. We do not want to appropriate the people's money, it seems, for great public uses; but has anybody heard anyone who was preaching economy insist upon practicing it by making the packers pay the cost of inspection instead of making the people pay the cost of inspection?

Mr. President, what was the philosophy back of this idea of permanent appropriations for this inspection by the Government instead of putting it all on the packers? The real reason was the same reason that made the packers resist the increase of appropriations made last year. Senators must remember that when the agricultural appropriation bill was pending and we were appropriating only \$750,000 a year for inspection, the packers resisted the increase of that appropriation because that sum of money, it was claimed, did not afford adequate inspection. It afforded enough for their export trade, and so they had to send abroad their good meats, and they availed themselves of that opportunity of keeping at home and of selling to the American people bad meats which they could not and dared not sell abroad. So they resisted the increase of the appropriation last year.

The first compromise was \$1,000,000; the next compromise was \$2,000,000, and finally we were told that they would agree that it should be made \$3,000,000 if we would not put the cost on the packers. How generous! and how "economical!" Think of that!—\$3,000,000 of the people's money to save the packers the cost of the Government's inspection, which the misdeeds of the packers themselves had caused.

But that was not and is not the worst. It was pointed out then that this great meat business would grow with the growth of the country; that this meat law would help its growth, and that, even if \$3,000,000 were sufficient last year, it could not be sufficient in two or three years, and that we would find ourselves confronted with exactly the situation that we were confronted with last year, to wit, an inadequate appropriation for an expanding business, so that within two or three years the Government would not be able to supply an adequate inspection, *although at that very time the Beef Trust would be able to advertise to the American people that there is adequate inspection.*

Does any Senator here believe—and I see one or two who are familiar with the work of the Appropriations Committee—that when two or three or four years from now the Department is compelled, in justice to the American people, to ask for an additional appropriation for inspection—does not every Senator here know that that increased appropriation will be resisted upon the specious plea of "economy?" I can hear now some of the speeches that will be made here by some of our Senators, who will say, "Why, we are paying \$3,000,000 a year already for this service, and that is enough; why increase it; let us be careful how we spend the people's money. Let us be 'economical.' That is the speech that will be made. Well, why not be careful with the people's money now—why not be 'economical' now; why not practice 'economy' now—and put this whole cost on the Beef Trust, where it belongs?"

We all know that the hardest thing possible is to get an appropriation increased for a service like that. I see the Senator from Wyoming [Mr. WARREN] shakes his head. Does the Senator from Wyoming imagine that when, two or three years from now, the mighty growth of this tremendous industry will require not three, but five, millions, the Senate will not be alive with protesting Senators, who will say that in the interest of the people's pocketbook—in the interest of "economy"—we ought not to make an increased appropriation for inspection?

Very well! If that is true, and after you have thus impaired the inspection for which the law provides, you have introduced into that law an element of fraud. You have enabled the packers to say to the people, "Our meats are inspected;" you have given them an advertisement that is unpurchasable in money, and yet you have refused to give enough money to enable the Government to properly inspect their meats.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. BEVERIDGE. Yes.

Mr. WARREN. I do not wish to take the Senator's time, but since the Senator alluded to me, I will say that I hardly think the Senator's argument is good—

Mr. BEVERIDGE. I did not expect the Senator to think it was good.

Mr. WARREN (continuing). That the Committee on Appropriations will not be able to meet all the calls that are made in view of the fact that we have gone during a two-year term of Congress from \$1,000,000,000 to about \$2,000,000,000, and that within a very few years.

Mr. BEVERIDGE. Ah, Mr. President, I had not any doubt that the Senator from Wyoming would be willing to proclaim, as he has, that the Committee on Appropriations is able to take to its ample breast all the problems of the Government and solve them satisfactorily to the Senate and the country (or will it be to the satisfaction of the country?); but I call the Senator's attention to recent history in this very matter, and the Senator can correct me if I am wrong. Last year, when this law was proposed—which we heard very passionately denounced as the "deathblow" to the American meat industry—we were appropriating each year \$750,000. When we proposed to put this cost of inspection on the Beef Trust, I have read to you from the reports before the committee how the Beef Trust resisted it. Can the Senator from Wyoming tell the Senate and the country whether it is not true that we were met with three or four propositions, the first one of which was to raise that \$750,000 to \$1,000,000 and the second was to raise it to \$2,000,000?

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. BEVERIDGE. Certainly.

Mr. WARREN. The Senator may have heard of that; but this is the first time I have heard of any objection whatever to the amount being \$3,000,000.

Mr. BEVERIDGE. As a matter of fact, Mr. President, I did hear it. I do not think there was anything very much going on that sooner or later I did not hear about in that now historic fight. It was said, "We will give you a million;" then it was said, "We will give you two millions;" and finally it was said, "Well, make it three millions." If the Senator did not hear that, then he was not as completely in the counsels of those for whom he spoke upon the floor last session as I would reasonably expect him to be. The \$3,000,000 that was finally gotten was drawn like a strong and unspoiled tooth from the jaws.

Mr. WARREN. I hope the Senator will give us some reference where we will find that in the RECORD, or in print somewhere. I did not know it.

Mr. BEVERIDGE. There is no reference. We all know what occurred; we know how loath they were to increase it from one million to two, and from two to three millions. As a matter of practical experience, does not every Senator know, does not the Senator from Wyoming know, that when, two or three years from now, the immense increase in this meat industry, of which I will speak in a moment, requires an appropriation in addition to the \$3,000,000 a year, that it will be one of the most difficult things in the world to get?

Mr. WARREN. On the contrary, Mr. President, it will be cheerfully met, as every other increase has been.

Mr. BEVERIDGE. If that is true, why do you make it a "permanent" appropriation? Why is it said in this bill that "hereafter," etc.?

Mr. WARREN. Because you insisted upon it.

Mr. BEVERIDGE. I did not insist upon it. I have insisted upon the packers paying the cost of inspection from the start. Does the Senator say that the packers would not pay? There is the statement formally made before the House committee by the packers' admitted representative that they would pay, and that they do not want to pay, and an increased appropriation will be necessary because of the growth of the business.

Last year I listened, not in alarm, but, on the contrary, with amusement, to the worn-out, the disgustingly moth-eaten argument that we were going to hurt this great business by the meat-inspection law. "Let us not agitate," they said, because to

tell the truth will be to hurt unrighteous profits; but it appeared to me that to tell the truth could never injure righteous profits; that to tell the truth would be finally to put the business upon a foundation of absolute honesty, from which it would grow and expand with a vigor and healthfulness impossible to it when its foundations were fraud.

And that, Mr. President, is what has occurred. Instead of the business decreasing after the law went into operation, it steadily and rapidly increased. I will give you one illustration that shows this and that demonstrates that this increase was due to the advertisements which the law permitted to be placed upon every pound of steak and every can of meat food product. In January, 1907, *breadstuffs* declined in one month nearly \$1,000,000, but they did not have "U. S. inspected and passed" upon them; while *meat* products increased in the month of January over two and a half million dollars because they *did* have—"U. S. inspected and passed" upon them. The reports—and this is on the domestic products only—show that from the month of November the increase has been constant and immense. So this business will grow. It is growing now.

Next year it will be many per cent greater than it is this year, and the year after still greater; but nothing will be so easy, and therefore nothing is so certain, that any increase of appropriation for the necessary increase of inspection can be gotten through Congress.

That, Mr. President, shows the necessity of the system of making the packers themselves pay the cost of this inspection. There will be no danger then. It is not only just that they should pay, but it is an automatic arrangement. If they pay these fees into the United States Treasury, they pay in only as many fees as there are cattle, sheep, and hogs killed, and, therefore, they create a fund which grows with the growth of their business and shrinks with the decline of their business.

Therefore, the fund applicable to this inspection would be always as great as the business needs and never greater than the business requires. There would always be a fund in the United States Treasury sufficient to cover the cost of the entire inspection. That comes out of the pockets of the packers, who profit from the inspection, instead of coming out of the pockets of the people, who do not profit by the inspection, except to be saved from a death which they ought not in any event to be in danger of.

It was said by some Senator here last session that this was not the usual method; that this method of making the packers pay was exceptional. The contrary, Mr. President, is the truth. The national banks pay the cost of their inspection. Why should not the packers? The immigrants who come to our shores—the necessity for whom we are now opening our eyes to—are compelled to pay the cost of their inspection out of their own slender pockets. Why should the immigrant, who is coming here to make his home, to build up the country, and to develop its resources, pay the cost of his inspection and the packers not pay the cost of their inspection?

It was pointed out by the Senator from Vermont [Mr. PROCTOR] last year that the oleomargarine manufacturers pay the cost of their inspection; and so, Mr. President, I might go on to enumerate others. But the national bank can pay the cost of its inspection, the immigrant can pay the cost of his inspection, the oleomargarine manufacturer can pay the cost of his inspection, but let us protect the packers; they are poor men!

It is true that their business has been so unprofitable that four men in Chicago alone in the last twenty-five years have become worth altogether something over \$200,000,000, and as to men who are in that impecunious condition and who have a business so unprofitable, it is suggested that we ought not to lay our hands upon their pockets or the pockets of that business, but upon the pockets of the people, which are capacious and unfailing! It is true the immigrant pays, but do not let us see the packers pay; it is true that the oleomargarine manufacturer pays for the inspection of that product, but for heaven's sake let us protect the poor cattleman of the Western plains even if he does pay.

I have heard one other argument, Mr. President. It is an argument which to my mind deserves a pretty severe adjective. It is that if the packers pay the cost of inspection the consumer will not have confidence in the product. Well, of course an argument so meretricious as that ought not to be addressed to a body supposed to be as sound of mind and as sensible as this. The packers do not pay the salaries to the inspectors. The packers, under this amendment, *pay a tax into the Treasury*; and on the funds created by that tax in the Treasury the Secretary of Agriculture draws his draft for the salaries of the inspectors. It is the United States directly who pay the national inspectors; it is not the packers. And so the argument was absurd, and but for the respect I have for the men who used it

I would say it was intellectually dishonest to say that for the packers to pay the cost of inspection would mean to destroy the confidence of the people of our own or foreign countries in the product of the inspection. So that falls to the ground.

Mr. President, I have often wondered why it was that in a reform like this such vast effort was made to conjure up arguments artificial and fanciful, which, on an instant's examination by a fair and honest mind, are seen to be entirely untenable.

Of course, Mr. President, I am perfectly well aware that the great storm of wrath under whose power this bill was passed at the last session has died away, because the meat-inspection bill has passed so far as the immediate lightnings of that storm are concerned. There is no great public agitation about it now, because the great wrong and the filthy crimes it was meant to stop have been stopped; but if Senators imagine that there is not an interest in the hearts of the people as profound now, and all the stronger because it is silent, that it is wrong to make them pay this money instead of making the packers pay this money, they have made a very great mistake. I tell the Senate that those lightnings only slumber.

I have tested that over a wide extent of this country, putting the arguments against the proposition of the Government paying for the cost of this inspection before the farmers and the laboring men and other men of my own State and many other States, quite as frankly and quite as fairly and quite as much without feeling as though I were arguing upon the other side of the question, and I think I have had personal evidence as to how the people think upon that. Of course, in a matter of right and wrong it does not make any difference what the people think at first. That is not the thing which influences me. It is the sheer justice of this; but I refer to the people's state of mind.

No! Mr. President, the great hurricane of wrath which swept over the American people and caused the enactment of this law has passed away *only in appearance* and not at all in fact.

Mr. President, when this matter was before the Senate on a former occasion a great many speeches were made upon it. I find that the chairman of the committee [Mr. PROCTOR] made a very emphatic speech, in which he said:

In regard to the other provision, the cost of inspection, it seems to be a radical departure and a very unwise one for the Government to defray this expense. I do not look upon it as a tax that can be put on the cattle grower or upon the consumer. It is a very small one at the most. I look upon it as a proper expense of advertising that should be charged to that account. These packers do a large amount of advertising, and certainly they do none that will yield such a tremendous return as the one of having the Government stamp on their products.

I might cite the oleomargarine law as an illustration. There is a tax of one-quarter of a cent upon renovated butter. The result of that very small tax has been that the production of that article has increased largely—I think nearly double—and that it has yielded an income to the Government of about double the expense of administering it. There has been a good deal of pressure brought to bear regarding this expense, and multitudes of telegrams have been received. It is plain, in looking them over, to see that they emanate from Chicago, and they are sent to different sections of the country to be forwarded to Congress. Many of them are in almost identical language. Several of them have a mistake in grammar, which is repeated identically in different telegrams. Here is a package of them, in which the sender asks "prompt action in passing meat-inspection bill providing for rigid inspection at Government expense."

That identical expression occurs in a large number of the telegrams, and, in fact, in nearly all of them that have been received. Here is another with the same expression, "rigid inspection at Government expense." The same language occurs in this entire package, "rigid inspection at Government expense." Here is another form, perhaps gotten out by one of the other packers.

They seem to be adroit packers, not only of meat products, but of men as well. They know how to bring their constituencies into line to have their views represented. This one is probably from another house: "Please urge Secretary of Agriculture and Bureau of Animal Industry that Government inspection is thorough." Some words are omitted there. Several others "urge announcement that the Government inspection is thorough and covers domestic and foreign meats."

And the Senator from Vermont, the chairman of the committee, goes on at a good deal of length to show the injustice of making the Government pay the cost of inspection.

Later on the same day the senior Senator from Massachusetts [Mr. LODGE], in one of the most earnest, brilliant, and effective speeches that I ever heard fall from the lips of that talented member of this body—and I will read only the extracts bearing on this point—said:

Now, as to the payment of the tax. We make the maker of oleomargarine pay the tax for the inspection of his product. We collect from the steamship companies, nominally from the immigrants, a head tax to pay for that inspection service. When we put the Government label on these goods going out from the packing houses, we give them a value which they could obtain in no other way, especially after all that has occurred, and they ought to pay this expense. The inspection tax is a trifle, and it ought to be borne by those who are peculiarly benefited by it.

Later on he said:

It is right and proper that this tax should be paid by those who directly benefit by it, and whose business methods have made severe inspection absolutely necessary.

Moreover, Mr. President, there is another very serious danger in the



opposite direction, and that is if we leave the inspection service to an annual appropriation, we shall find very soon that it is a convenient place for economy—

Just the point I made a moment ago—

and that we are going to cut down inspectors and cut off the expense of inspection until it is impossible to make it effective or efficient.

I for one hope, Mr. President—and it is for that purpose I rose—that our conferees will stand with the utmost strength for the views expressed by the Senate on those two points when they embodied this amendment in the bill.

Later on, when the conferees, after as gallant and able a fight as I ever knew a conference committee of the Senate to make, were defeated upon this, when it became clear that we had to yield on these two points or else see the bill itself go to its death, in a conference with the chairman of the committee, the Senator from Vermont [Mr. PROCTOR], and the Senator from North Dakota [Mr. HANSBROUGH] I said:

Very well, the bill itself is more important than these two items. The principle is more important than these two items, important as they are. I will support the report of the conference committee if it leaves these out, but saves the bill.

And I did that, and I did my best to prevent other Senators, because we were drawing into the hot days of summer, from saying anything about it, so that we might get through. But I found it impossible. My dear friend, a man whom I admire as much as any man I ever knew in public or in private life, the Senator from Minnesota [Mr. NELSON], made a speech the passion of which will be remembered by those who heard him, in the course of which he said:

I watched the course of this measure, and in many quarters it has been considered from the standpoint of the packers and the cattlemen. *The American consumers and the ordinary American farmer have been left out of the question.*

Nobody has heard any protest from the ordinary farmer who raises cattle. I come in contact with as many personally, I venture to say, and putting it mildly, as any man in this Chamber. I have talked publicly with thousands and privately with hundreds. The Senator from Minnesota [Mr. NELSON] was right about that, and he went on:

Three objects have been sought to be accomplished—first, to placate the packers; next, to placate the men who raise the range cattle, and, third, to get a good market for the packers abroad. What is the outcome of this?

Mr. President, we are to expend \$3,000,000 in inspecting the products of the packers, and then the American people are not to get the full benefit of that protection. When we come here and ask for the plain privilege of having the canned goods labeled, so that the American consumer can tell whether he is buying a fresh product or a stale product, the packers and the men who represent them get up on their hind legs and say, "You can not have it. We are omnipotent."

The Senator from North Dakota [Mr. McCUMBER], in a speech of great courage and remarkable eloquence, said:

So they are insistent upon that single proposition—

The packers—

So they are insistent upon that single proposition, but they want the Government to pay. Why? If the packers will make a net income of from ten to fifteen million dollars more during the next twelve months by reason of the Government certificate on all their products, then I want to know what loss or damage the inspection is going to be to the packers; and if it is not a loss I want some Senator to tell me why we should pay out for them the sum of \$3,000,000.

And the question of the Senator from North Dakota has never been answered to this day. Senator McCumber continued:

But, Mr. President, the Senators who take the opposite view of this case base their claim upon the insistent proposition that if we charge the packers \$3,000,000 for inspecting their meat, they will charge it back again not only against the producer, but against the consumer. Mr. President, if that be true, then I am assuming that it will be because of the necessity upon their part. Is there any necessity that they should charge it back either to the field of production or the field of consumption? Will any Senator stand up here and deny the proposition that the packers charge the consumers all the consumption trade will stand?

I guess nobody has ever been found to deny that sound economic proposition of Senator McCUMBER.

Will any Senator deny the converse proposition that the packers pay as little to the producers as the producers' business will stand? If those two propositions are undeniable, then we may safely assume that the packers will act in the future as they have been in the past, and that is to charge to the consumptive trade and pay to the productive trade just as great and just as little as the two fields, respectively, will stand. They will follow that proposition.

Mr. President, we are asked to do it for another reason. It is stated to us that if we pay a bribe of \$3,000,000—

I shall never forget how that burning word "bribe" fell from the lips of the Senator from North Dakota—

to the packers, they will cease to rob the producers, who must rely upon them for what they get for their products. We tried that proposition many years ago in our intercourse and trade in the Mediterranean, when we paid to the Bey of Algiers a certain sum every year to prevent piracy upon American merchantmen. Did it work? The very next year they charged more, and so on. The piratical demands grew greater and greater, until the cry went forth that we would pay millions for defense but we would pay nothing for tribute to be protected; and we got our defense.

I do not believe that the producers in my State, or a single one of them, stand upon the proposition that we will ask the United States

Government to bribe the packers in the sum of \$3,000,000 a year that they may not do any further or greater injustice to the producers; and if I thought my people did so feel, I say candidly that I would not attempt to represent their views upon the floor of the Senate of the United States.

There spoke the ideal spirit that ought to animate every American public man. *When a man can not represent his constituency's views and do justice to the Republic and to his conscience, he is not an honest man if he does not say "Get some person who is more tractable than I."*

The Senator from North Carolina [Mr. SIMMONS], who is now occupying the chair, made a speech of very great vigor and of some length. I will not read it all, but I will read one paragraph of it.

Mr. President, I can conceive of nothing that Congress can do which will be of more benefit—and when I use the term "benefit" I mean financial, pecuniary benefit—to the packers of this country than the passage of this inspection law. They ought to be willing from a business standpoint, to say nothing about considerations of justice, to pay for this inspection if the cost were twice as great as it is.

That, last year, was the opinion of the Senator from North Carolina, who was and is a most valuable member of this committee, and I violate no confidence when I declare that it is his opinion now.

But, Mr. President, the Senator from Vermont [Mr. PROCTOR], the chairman of the committee, also made another speech in addition to the one from which I quoted, in which he said:

It seems to me a self-evident proposition that if producers fail to make their products such as to command public confidence, it is their duty to do whatever is necessary to restore that confidence. When fairly considered, the severest charge made against the packers is by their friends, who say that if the packers are made to pay this expense, they will charge it to the cattle grower and also to the consumer. I am prepared to believe most anything of this monopoly, but I can hardly think so meanly of them as this, which their friends admit will be their course. Their conduct in regard to this measure has been such as to show that at least they have no nice sense of proprieties. We have all had much experience with round-robin telegrams. We expect them from certain associations, but I have never seen such open and bare-faced use of this method of trying to influence Congress as has been made by these packers in flooding us with telegrams from all over the West in identical language, all evidently emanating from Chicago. If we are to be buncoed—

This is the language of the Senator from Vermont—

If we are to be buncoed, as I hold that we are to be in this matter of expense, it would be pleasanter to have it done with some neatness and so as to conceal the cheapness of its style. But, Mr. President, gentlemen of another body are about to go home to their constituents to take their judgment upon their acts.

Then he proceeds to give the reasons why the Senate conferees found it necessary to make an agreement.

The other member of the conference committee was the Senator from North Dakota [Mr. HANSBROUGH], whose value to this Senate everybody here knows. He made a speech whose earnestness impressed this Senate powerfully and whose argument is unanswerable, in which he said:

I have myself arrived at these views after a very thorough study of the question and after the fullest consideration which I have been able to give to the subject. I have been particularly impressed with the character of the literature which has been sent to Senators and Representatives from all parts of the country.

Then he goes on also to call attention to the nature of the telegrams with which Congress, and both Houses of it, were flooded by the packers. The Senator from North Dakota goes on:

It is very strange, to my mind, that the advocates of the provisions contained in the House amendment and the packers should be fearful that the stock raiser will be obliged to pay this fee which has been spoken of here.

And both of those Senators from North Dakota come from a cattle-growing State.

I can not understand such a situation. If the stock raiser is going to pay this fee, why should the packer be interested? It is not any affair of his. If the man who raises cattle is taxed to pay the inspection, why should the packer be interested? The fact is there has been a good deal of controversy and a great deal of argument here intended to show that if we collect an inspection fee on the animals slaughtered it would be assessed upon the stock raiser, and the one individual above all others who seems to be most fearful of that outcome is the packer himself.

The Senator from New Hampshire [Mr. GALLINGER] made a short but powerful address. It was full of feeling, for the Senator is a physician and spoke with emotion of the deaths this murderous practice had caused. That day he proved again what he has proved through so many faithful years, how thoroughly a Senator of the people he is. I will ask permission to insert some paragraphs from it in my remarks, as I can not find it at the moment among the many books on my desk.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

Mr. GALLINGER. Mr. President, I shall detain the Senate but a moment. After the wretched and revolting exposé that has been made of the condition of things in the packing houses at Chicago, I have very little sympathy for the men who are engaged in that industry, men who

have made their millions and their tens of millions, and who, if they had been men of public spirit and correct impulses, would have had their packing houses as free from filth and disease-breeding conditions as is this Senate Chamber. They have absolutely neglected the conditions that ought to have existed, and have horrified not only this country, but the nations of the world, because of the conditions that were found to exist there.

Mr. President, I want an inspection of meats in Chicago, an inspection as thorough as human ingenuity can devise. I feel like congratulating myself and my associates in this Chamber, in view of what has been spread before the world, that we are permitted to be here to-day. Almost every day I hear of the illness of some friend, and very often the information comes to me that it is due to ptomaine poisoning. Why should it not be, considering what has come to us as a matter of record knowledge?

I have listened to the reading of the letter which was sent to the desk by the Senator from Iowa [Mr. DOLLIVER] and the telegrams which were sent to the desk by the Senator from Wyoming [Mr. WARREN]. They are for a rigid inspection, but they want the Government to pay for it. I recall the fact that Artemus Ward once said that he read and had been told that boils were good for the health of the human family. He said he had made an investigation of that and found it to be true, but he wanted the boils to be on the other fellow. [Laughter.] So, Mr. President, these people think inspection is necessary, and they say it ought to be thorough in the interest of human health, but they want the Government of the United States to pay for inspecting meats which, if they did their duty, would not need an inspection.

I do not believe that the Government ought to have this burden of \$3,000,000 placed upon it for next year and \$5,000,000 the next, and perhaps \$10,000,000 in a few years, for inspecting the meats that pass through the slaughterhouses of the great city of Chicago and other cities of our country. I do hope, Mr. President, that on this point the conferees on the part of the Senate will stand unflinchingly and will not yield, and that this burden may be placed where it properly belongs.

I do not see why it could possibly fall upon the producers—the men who raise and sell the cattle to these packing houses—as the Senator from Wyoming contends. My fear is, in view of the conditions that already exist, that it will fall upon the consumers, instead of the producers. These packing houses form the great meat trust that makes it impossible for a farmer in New England to raise cattle for the market, because the men who sell it are boycotted by this great trust; and I apprehend that, if the packers are made to pay the cost of the proposed inspection, they will find a way to raise the price of their meats beyond the exorbitant price that they have been asking the consumers to pay for the last ten years. I know of no reason why this tax should be placed upon the cattlemen, but even if it should be, it seems to me that it is more a matter of justice and right that that great industry, which has not been suffering very much until this exposé came of conditions in Chicago, should bear the burden, rather than that the taxpayers of the entire country should be compelled to do so.

Mr. BEVERIDGE. Mr. President, I have about concluded what I desired to say upon this amendment. I wish a little bit to recapitulate. I am sorry that during the time when I was making two or three of the points made here the Senators who are now in the Chamber were necessarily at luncheon, because I showed from the record that the representative of the packers themselves formally admitted that if we put the cost upon them the packers would have to pay, and not the cattlemen, the producer, or the consumer.

I showed that the chief resistance to this measure last year and now comes from the packers, and that if they do not have to pay it they are absolutely without a motive for resisting it. I showed that even if it be true that the great range men, referred to by the Senator from Minnesota [Mr. NELSON] last year, paid the cost of the inspection—the trivial cost of inspection—it was a matter of justice that they who profited from the business should pay for the inspection and for finding out whether their cattle were diseased, instead of spreading the cost of the inspection all over the American people, both those who eat meat and those who do not.

I will say to the Senators who are now here that I have read at length this flaring advertisement, *every word of which describes the law*, asking visitors to come and see how this great concern puts into execution the law, calling their attention to what "U. S. inspected and passed" means.

I am aware that there have been some changes of opinion from last year, but I have not yet heard any reason given for any change of opinion. I have shown, as was said last year by the Senator from Vermont [Mr. PROCTOR], who was then passionately in favor of this amendment, that in this law we have given the packers an advertisement which money could not purchase. And I have asked why, in addition to giving them an advertisement that has increased the sales of their meats, we should also put our hands into the pockets of the people and give them \$3,000,000 of the people's money besides.

I showed the absurdity of the proposition that the inspection cost would come off the eaters of meat or the growers of beef, in view of the admission of Mr. Wilson, in the employment of the beef trust, who formally represented them, and of whom it was said in committee he was the ablest as he was the frankest man they had. I showed that what was prophesied at that time about the improvement in the meat business instead of its decline had come true, and that in the month of January meat and meat food products increased from fourteen millions and something to seventeen millions and something, and I tried to point out how absurd was the proposition that if the packers paid the cost, the people would lose faith in the products, be-

cause the charge made on the packers does not go from the packers to the inspectors.

It is collected by the Treasury of the United States. It constitutes a special fund in the Treasury, upon which the Secretary of Agriculture draws checks in payment of the salaries of the inspectors, and therefore that it was not only false but bizarre and grotesque to hold that the faith of the people in the products would be impaired if the packers, like the national banks or like the immigrants or like the oleomargarine manufacturers, pay the cost of inspection.

I have finally asked why it is if in all these other cases we make the business that receives the benefit pay for the inspection that renders it safe, why it is that the packers should be excepted? I shall insist on keeping on with that question, as suggested to me so kindly by the Senator from New Hampshire [Mr. GALLINGER]. Will anybody tell the Senate or the people why we should deliberately put our hands into the Treasury of the United States and in addition to giving the packers an advertisement, which the Senator from Vermont pointed out last year was beyond price to them, give them \$3,000,000 of money *taken out of the pockets of the people*; those of the people who do not eat meat as well as the people who do eat meat?

Mr. President, notice has been given that a point of order will be made against this amendment. I understand fully that that is a question for the Chair to decide; but as respectfully as it is possible for a Senator to do I suggest at least the permissibility of submitting the point of order to the Senate. There are for that some very notable and, I might say, historic examples, with which the Senator from Kentucky [Mr. BLACKBURN] is especially familiar. For example, in the case of the Panama Canal bill that was made as an amendment to the river and harbor bill. It provided for the government of the canal. It was the whole canal law. As I remember it was what is publicly known as the "Spoonster Act."

Mr. SPOONER. Was not that a question of germaneness?

Mr. BEVERIDGE. No; I will read it. Mr. Pettigrew made the point of order.

Mr. SPOONER. It could not have been a change of existing law.

Mr. BEVERIDGE. Here is what he said:

I think the amendment is obnoxious to Rule XVI, as *general legislation* on a general appropriation bill.

Then they tried to pin Mr. Pettigrew down to the other point, but he declined to make the other point. He made it upon the ground that it was *general legislation*. I understand the rule provides for two things—*general legislation* and *relevancy*. It would be perfectly competent for me to suggest to the Chair the relevancy of this matter and demand that it be submitted to the Senate. But I am not doing that.

Mr. SPOONER. I am not antagonizing the Senator. I am only asking for information.

Mr. BEVERIDGE. I know.

Mr. SPOONER. The Chair is *obliged* to submit to the Senate the matter of relevancy.

Mr. BEVERIDGE. Yes; but the point of relevancy was not made and I do not make it now and here. It was that it was *general legislation* and that is the point of order now raised by the Senator from Wyoming. Nevertheless upon request the Chair did submit it to the Senate as a matter of public consideration.

The Senator from Wisconsin and older Senators will remember very well the famous Platt amendment. It was put on the Army appropriation bill. No point of order was made against it. The public exigency was too great. It was passed in the closing hours. I remember very well where the Senator from Wisconsin sat across the way when the Platt amendment was passed. It is perhaps hardly in point, because no point of order was made upon it.

But the Philippine civil-government bill is one. That was made as an amendment to the Army appropriation bill and the Senator from Alabama [Mr. PETTUS] made the point of order upon it. Nevertheless it was submitted to the Senate, and a yea-and-nay vote had.

The case in which the Senator from Kentucky [Mr. BLACKBURN] made the point of order was upon the Hawaiian cable, which was put on the diplomatic and consular appropriation bill. In each of these cases and in a large number of others, and it is not necessary to refer to them, the point of order was submitted to the Senate, not as a matter of right, but because of the great public considerations involved.

I respectfully call the attention of the Chair to the facts as to this particular amendment. First of all, it was an original part of a measure which was, without objection, put upon the appropriation bill unanimously last session. Secondly, that



law has now been reinserted in this bill, and this amendment is the exact reproduction of that portion of that identical measure, which last year went through this body unanimously, which the Senate stood by through its conferees, and which finally was stricken out in conference only to save the bill itself. It is a matter of vast public moment, upon which the American people have been pretty well informed and upon which a large amount of discussion has taken place.

I have tried to present here at some length, though I have labored to be as brief as I could, the profound reasons, resting not only in justice, but in business expedience, why this taking of money out of the Nation's Treasury instead of out of the coffers of the packers should be stopped and the other method substituted. I have tried to show that if that is not done, the whole purpose of the law will within a year or two be imperiled, because it will be difficult to increase the appropriation with the increase of business.

Mr. President and Senators, I have concluded what I have to say on this question. I think there is nothing more immediately important or upon which the American people are more permanently determined or upon which they ought to be more persistently determined, and I shall close by doing what the Senator from New Hampshire so kindly rose to his feet and suggested that I should do, that is to say whatever the fate of this may be now, we will renew this contest until finally this principle, that where a business is benefited by an inspection it and not the people shall pay for that inspection, is established.

We are doing this for the people. We are only preventing by this law disease being sown broadcast throughout the Republic. I remember that last year the Senator from New Hampshire [Mr. GALLINGER], who is a physician, rose and spoke with a feeling that almost choked his utterance, and called attention to the fact of cases of ptomaine poisoning of children and those who are not children from diseased meat.

Mr. President, I see no reason against, and I have examined with great patience the reasons for, and I shall ask any Senator to tell me whether there is any reason why the packers should not pay the cost of the inspection, which is worth to them untold millions as a business advertisement on the one hand, and which, on the other hand, prevents them from injuring the people. *Shall the packers pay for this inspection or shall the people pay?—that is the question for the Senate to decide.*

Mr. McCUMBER. Mr. President, I wish to say a word on this subject.

Addressing myself more particularly to the Senator from Wyoming [Mr. WARREN], who evidently made some remarks on this question to-day which I did not hear, but from the argument made by the Senator from Indiana [Mr. BEVERIDGE] I assume that the Senator from Wyoming took the position that if this sum of three million, or whatever other number of millions it may be—

Mr. WARREN. I will relieve the Senator from North Dakota by saying that I made no argument whatever.

Mr. McCUMBER. Very well. I understand that the basis for any claim that the Government should pay for this inspection is that the producers in the end will have to pay it if it is charged against the meat trust, as we call it, or the packers. If I am right in that, I want to know on what assumption it is based. Is it true or is it not that the raiser of cattle is wholly at the mercy of the meat combination? If that is true, we need some other law on the subject than a mere law as to who shall pay the fees. Is it true, also, that the meat trust or the meat combination fixes the price to the consumers all over the country? If that be true, then the whole American public are, to a greater extent than I have ever anticipated, wholly at the mercy of a dozen or so individuals in the United States.

If there is no other remedy than that, we must submit to such prices as shall be fixed by a few men or a dozen men. Then certainly we are reaching very closely to that condition where paternalism would be better than to be at the mercy of so few individuals, and nothing can be much worse than that same paternalism.

Mr. President, I again ask Senators: Do the people who produce the stock pay this \$3,000,000? Is it charged to them and must they themselves bear this extra burden of inspection, and not the whole country? I understand it is the position of the Senator from Wyoming that one class of people ought not to be compelled to pay that which is for the benefit of all the people.

Now, let me call the attention of the Senate to this fact: Perhaps Swift & Co., Libby & Co., and Armour & Co. pay not less than \$3,000,000 a year in advertising their goods. In all the great papers of the country, in all the magazines of the country, they pay, we will say, \$3,000,000 for

advertising. To whom do they charge it? To the public. The same people, of course, have to pay for advertising. The consumer and the producer of meat pay for that in the end. Therefore upon the same argument that will sustain a Senator on the proposition that the Government should pay for the advertising which they get through this bill the Government should pay for the other advertising, and if the Government does pay for it, of course they can pay more for their hoof cattle and charge less for the finished product. The reason is just as good in one instance as it is in the other.

Mr. President, there is no advertising scheme in the world that is so beneficial to the meat producers of the United States as that single printed statement upon every ham or barrel of meat that goes from their place of business into a foreign country—the words "Inspected under the national law, and passed." That carried with it the same verity that the American eagle carries with it when it is stamped upon the twenty-dollar gold piece. It stands for purity and everything that the law requires. Nothing could be more beneficial. Have not their exports increased enormously since that time? Have they not been almost 10 or 15 per cent higher than they were in the previous years, giving them eight or ten or fifteen million dollars, and without requiring of them the sum of \$3,000,000 to pay for that which benefits them more than anyone else?

Mr. President, it does not require a long argument to demonstrate the fact as to who is benefited. We to-day have a system of inspection of all grain—the corn, the oats, the wheat, the barley, and the flax—that is marketed all over this country. Have the farmers, the producers, come to Congress and asked that we should vote the necessary \$10,000,000 to cover that inspection? They pay for it. It is charged to them at the time. No one else makes the payment. Why should we mete out one rule to them and another rule to the meat producer? We could just as well say that in regard to the great grain crop, the great elevator companies would pay the farmer a greater price for his wheat if the Government would pay the cost of the inspection. We can say that as much as we can say that the producer will benefit in this instance if the Government instead of the person who is peculiarly benefited shall foot the expense.

Mr. President, I hope that this matter may be submitted to the Senate. I hope that we can vote upon it directly. I see no reason why we should not as well as upon any other matter that has been presented to us. I certainly with all my heart will support the proposition of the Senator from Indiana that the people who are especially benefited by the legislation requiring meat inspection shall pay the expense of it.

Mr. WARREN. Mr. President, I regret very much that the lateness of the hour and term prevents us from taking up this subject and going fully into it, for I should very much like to review the arguments or contentions presented by the two Senators who have preceded me—the Senator from Indiana and the Senator from North Dakota. I will only take time to say now that I dissent entirely from their views and contentions.

As to the point of order, I think I never saw a clearer case, and I suppose the Senators will admit that. It is general legislation. It repeats in terms a standing statute and puts another in its place, and it is not of a class that is usually submitted to the Senate, either on an appropriation bill or in a separate bill.

Mr. BEVERIDGE. Will the Senator permit me to interrupt him?

Mr. WARREN. Certainly.

Mr. BEVERIDGE. I made no argument upon those two lines, but I related the special and particular circumstances attending the enactment of this legislation and the presentation of this amendment, and the only three cases which were equally if not more pronouncedly objectionable to the rules than this which were submitted by the President of the Senate. I will say to the Senator and to the Chair, who of course knows more about that than I do or than any of us, that I might have covered not the three great historic cases, but scores of them. It becomes a matter of public propriety and public duty to permit the Senate itself to vote upon this public question and not dispose of a matter of great public justice by a technicality.

Mr. WARREN. Mr. President, there have been thousands and thousands of times when a point of order has been raised and promptly ruled upon by the Vice-President, and of course along with this many thousand times the Chair has occasionally, but very seldom, submitted the question of order to the Senate.

A point of order could rest against this amendment on various grounds. This matter was one which was not estimated for. It has not been considered and reported favorably upon by a committee. It is general legislation, and of the most dangerous kind, because it undertakes to place money in the Treasury and pay it out without any appropriation by Congress, not only for this year, but for all time.

This is a question of order that is neither new nor upon which there can be any doubt, and it is not a question of relevancy. It is a question to be settled absolutely upon the exact terms made here last year by the Senate and House.

Mr. McCUMBER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from North Dakota?

Mr. WARREN. Certainly, but I will be through in a moment.

Mr. McCUMBER. I wish to ask if it is not true that it was adopted just before the closing hours of the session and when we were hurried in the matter of consideration as we are to-day?

Mr. WARREN. Let it remain settled then, since it is so well settled, until we can get time to consider the whole subject fully.

Mr. GALLINGER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from New Hampshire?

Mr. WARREN. I am going to yield the floor in a moment. I will be just as anxious to discuss the matter when the time comes as the Senator from New Hampshire or the Senator from North Dakota or the Senator from Indiana.

Mr. GALLINGER. The Senator says this matter was settled by the Senate. I wanted to ask him if it was not settled on a conference report?

Mr. WARREN. It was presented in all its forms in various reports and finally and fully settled by the Senate—by the Congress.

Mr. GALLINGER. But the Senate, as I remember it, acted adversely to the Senator's present contention when it adopted it.

Mr. BEVERIDGE. It did. It did twice, if I may interrupt the Senator.

The VICE-PRESIDENT. Does the Senator from Wyoming yield to the Senator from Indiana?

Mr. WARREN. Certainly.

Mr. BEVERIDGE. The Senate only yielded because of a deadlock in the committee of conference with the conferees on the part of the House. I beg the Senator's pardon.

Mr. WARREN. Very well. Whether it did or not the Congress of the United States settled it in the usual way.

Mr. GALLINGER. Mr. President, a single word. When this matter was submitted to the Senate and debated by the Senate and voted upon by the Senate, the Senate decided that the packers ought to pay this amount of money, not the people of the country. It went to conference. The conferees on the part of the Senate, under stress at the close of a session, yielded to the House, and the law was enacted as it is now.

I think the Senator from Wyoming is not quite frank when he represents that the Senate itself has ever placed itself on record in favor of the present status. On the contrary, the Senate has placed itself on record as opposed to the principle that is embodied in the present law.

Mr. WARREN. I will have to challenge the Senator's accusation of lack of frankness on my part, because he will remember that this whole meat-inspection legislation came in on the agricultural appropriation bill en bloc, in one long amendment, and no objection was made in the Senate. It was a case of unanimous consent, knowing that it would go to conference and be settled there. It was an unusual proceeding. By unanimous consent it came in in terms, the Senate expecting to have it changed in conference.

I am ready to submit the question.

Mr. HANSBROUGH. Mr. President, the contention of the Senator from Wyoming that this is general legislation I think needs some elucidation. My idea of general legislation is a measure that pertains to more than one subject. This amendment pertains wholly to one subject and one subject only.

I can understand, Mr. President, how the point of order could be raised against the original meat amendment, because that was general legislation, but here it is proposed to amend that amendment. Surely it will not be claimed that it is not germane or that it is not relevant.

The distinction may be very fine; I know there have been numerous decisions here that are antagonistic to my contention; but I think it is worth considering, if the question is to be submitted to the Senate. I maintain that there is a wide difference between the original meat amendment and the proposed amendment to that amendment at this time.

Mr. SPOONER. Mr. President, to be absolutely frank, as I always wish to be, I do not rise for the purpose of discussing much, if any, the point of order which has been made, mainly based upon the ground that this is general legislation. I do not understand the Senator from North Dakota [Mr. HANSBROUGH] in his proposition that it is not general legislation

because it applies to specific individuals. It applies to all packers in the United States. The fact that in the main packers reside in Chicago is quite immaterial. They also reside in Omaha and in Kansas City. Wherever there are packers in the United States the law as it now exists applies to them.

Mr. HANSBROUGH. Will the Senator allow me to interrupt him?

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from North Dakota?

Mr. SPOONER. Of course.

Mr. HANSBROUGH. I would admit that if this amendment pertained to the question of public lands or to Indian affairs or to the financial question or to any one of a dozen other questions in addition to the meat question it would be general legislation, but I think it is taken entirely out of the category of general legislation, and that the only question before the Senate is to decide whether it is germane or relevant.

Mr. SPOONER. The question is not yet before the Senate. It is lodged within the jurisdiction and the decision of the Chair. It would be just as logical to contend that an excise tax upon tobacco was not uniform because there were some States in the Union in which no tobacco was produced as to claim that this is not general legislation because there are portions of the United States in which there are no packers. But I did not mean to go into that.

I want to say a word about what I often hear in the Senate latterly when a question not of relevancy, but of order, is made, and it is accompanied by a request from the floor that the Chair shall submit it to the Senate. For myself I shall never make, as I have never made, any such request of the Chair. It is explicable only upon the theory that the Chair may not or is expected not to decide it in accordance with the wish of the Senator making the request.

Mr. BEVERIDGE. Mr. President—

Mr. SPOONER. If the Senator will allow me, it must not be forgotten that the decision of this question upon a point of order does not rest as a finality with the Chair, because whatever the Chair may decide upon a point of order a Senator may appeal from that decision, if he prefers the decision of the Senate to the decision of the Chair. It may fall merely within the Latin proverb, *de gustibus non est disputandum*, but I have more than once been quite impressed with the peculiarity of a request from the floor that the Chair, instead of deciding the question according to his best judgment, as the Chair always does, should surrender to a doubt implied upon the floor and decline to rule in order that in the first instance the Senate might decide. I think that the Chair should be left to decide. Questions of relevancy the Chair must submit, but the Chair should be left to decide questions of order, and the Senate should be rather a court of appeal than a court of original jurisdiction, request being made that the Chair abdicate the function which is put by the rule primarily upon the Chair.

Mr. President, I have often heard reference made upon questions of order to the Platt amendment. A point of order was made upon the Platt amendment. Does the Senator from Indiana wish to interrupt me?

Mr. BEVERIDGE. I was going to interrupt the Senator, but I think I will ask permission when he gets through to say a few words.

Mr. SPOONER. The Senator has that right. I did not mean to decline to yield to the Senator.

Mr. BEVERIDGE. That is all right. I think no point of order was made on the Platt amendment.

Mr. SPOONER. It was put in by unanimous consent.

Mr. BEVERIDGE. Yes. A point of order was made on the canal amendment, the Philippine civil government amendment, and on the Hawaiian cable amendment. Those are a few notable instances where the point of order was made that it was general legislation on an appropriation bill, and it was generally agreed to be so. When the Senator gets through, I will ask permission to say a word.

Mr. SPOONER. It is useless, then, to cite the Platt amendment upon a point of order, because it was incorporated by unanimous consent. It would not have been subject to a point of order. While some Senators thought it might be, the patriotism of this body led Senators to forbear to make any question about it. The action of the Congress, which alone can declare war, had put the Army of the United States into Cuba, and the action of the President and the Senate, which alone can make peace under the Constitution, had brought about a cessation of the war between the United States and Spain, with an obligation upon us that we should occupy Cuba and exercise there all the powers and discharge all the duties imposed by the rules of civilized warfare and the law of nations upon a military occupancy. So I always believed firmly that it was



entirely competent for Congress in an Army appropriation bill providing expenses for the Army in Cuba and everywhere else to provide upon what terms that Army should be withdrawn from Cuba.

I remember another amendment to that Army appropriation bill which was much challenged. I do not remember now whether a point of order was made upon it or not. The Senator from Colorado [Mr. TELLER], who never forgets anything, will remember. It was a Philippine government amendment which I offered to the bill. I always believed that that amendment, while very bitterly attacked upon the floor, was absolutely in order upon that Army appropriation bill, because it provided what international law provides as a part of the military function—civil government.

Mr. BEVERIDGE. Will the Senator permit me a question?

Mr. SPOONER. Certainly.

Mr. BEVERIDGE. Does the Senator claim that it was not general legislation?

Mr. SPOONER. Of course it was not general legislation.

Mr. BEVERIDGE. I call the Senator's attention to the fact that that amendment created on the face of it the most perfect suzerainty on paper in the world.

Mr. SPOONER. I call the attention of the Senator from Indiana to the fact that that amendment created no suzerainty at all.

Mr. BEVERIDGE. That is a difference of opinion.

Mr. SPOONER. The Senator is quite accurate now, and I accord to him his opinion in perfect good faith, as he accords the right of opinion to me, for which I am profoundly grateful.

Mr. President, the Platt amendment simply provided, as a condition of the withdrawal of the Army of the United States from Cuba, that the people of Cuba should place in their constitution, or as an appendix to it, its stipulations, and it was voted into the constitution of Cuba or annexed to it by the people of Cuba. They made it a part of their own constitution. All that Congress did was to prescribe the conditions upon which the Army might be withdrawn from Cuba. Of course, when the Platt amendment was appended to the constitution of Cuba by the people of Cuba, it bound the people of Cuba. It was not a law operating in the United States, and it established, I think, in no proper sense a suzerainty.

But to go back, Mr. President, to the amendment which I have had the honor to offer for a civil government in the Philippines, to the military bill, I never shall forget—and I will take but a moment about it—two or three things in connection with that amendment. I was earnestly requested, Mr. President, to offer that amendment to the military bill. I had offered it as a distinct proposition long before that. There was no originality in it. It simply adapted the Louisiana resolution of 1803 to the situation in the Philippines.

One evening I was at the White House with President McKinley, who, when he took the office of President, was a ripe and well-disciplined statesman, who grew in mental stature and in measure of statesmanship every hour under the tutelage of grave responsibility of that exalted office—a wise, sane, patriotic, powerful statesman, always unruffled; and, Mr. President, not only that, but always considerate and one of the sweetest and most charming personalities ever known or ever to be known to the history of this Government. He said:

Under the war power of the Constitution for some years now the whole responsibility of governing and caring for the 7,000,000 people in the Philippine Archipelago, 7,000 miles from us, has been upon me, with no line of legislation or Congressional enactment behind me. I am weary of it; the burden is too great; and I hope before the Congress adjourns—I plead for it—that whether of much efficacy or not, it shall not adjourn without putting behind me some enactment upon the subject.

And he suggested as what perhaps best might be enacted by Congress as a part of the military bill an amendment very similar to that which I had the honor to offer, and which I had, as I have said, long before offered and had referred to the appropriate committee.

It was not cowardice; it was not grasping for power. It curtailed the President's power, because up to that hour there was no limit upon his power, Mr. President, but the limit which international law puts upon the power of the commander in chief of a conquering army. So that amendment was offered and adopted by the Senate, and it was of unspeakable comfort to the then President of the United States, whose memory is revered by all within the bounds of the United States and by all civilized peoples beyond our bounds. I never spent in my life—and if I should live to be a thousand years old I never could spend—a more uncomfortable three hours or more than I spent in that debate. I sat here, listening to Senators on the other side denouncing the amendment as unconstitutional, as an innovation, as conferring upon the President arbitrary power, as a delegation of legislative power clearly in violation of our funda-

mental law, I thought myself well prepared to answer the argument, Mr. President; but I sat here dumb because elaborate debate would have compelled an extraordinary session of Congress, which at that time every public interest was against. I only want to say now that since then the Supreme Court of the United States has declared that amendment to be constitutional. (Dorr v. U. S., 195 U. S., 153.)

Mr. President, as to this point of order, I have nothing to say. I am content to leave it to the Chair, and if I am discontented with the decision of the Chair I know my remedy.

Mr. BEVERIDGE. Mr. President, in respectfully submitting to the Chair the permissibility, I have not even gone so far as to say the propriety, of submitting this question of order to the Senate no one knows better than the Senator from Wisconsin, unless it be the Chair himself, that that implied not the slightest lack of confidence in the judgment of the Chair. We all know very well that on large public matters these questions are submitted to the Senate. It is not for an instant that anybody questions the wisdom of the Chair; but it is that the matter in dispute is of such great public moment that, as a matter of public policy, the Senate itself should have an opportunity of passing upon the question directly, and it can only pass upon the question directly by the Chair taking that view of it and submitting it to the Senate. Nothing could have shown this more plainly than the last illustration given by the Senator from Wisconsin himself. He showed that the exigencies surrounding the Philippine civil-government bill were such that notwithstanding the fact that it was unquestionably general legislation, still it ought to have been—

Mr. SPOONER. No; I did not say it was general legislation. I say it was not.

Mr. BEVERIDGE. Oh, you say that. I beg the Senator's pardon, then. I have mistaken the Senator's view upon that matter. The Senator did not say so at that time, but I presume the entire Senate remembers the legislation, as it was not very long ago. The one I am referring to now, the paragraph giving the President full power, which went onto the appropriation bill, was clearly general legislation, new legislation, and did not pretend to be anything else.

But leave that aside. Some, at least, thought it was general legislation and some thought it was not general legislation, just as now some may think and some may not think this is general legislation; but the reason the question was submitted to the Senate was what the Senator describes as the "public importance" of the measure itself. It of course always becomes a question for the judgment of the Chair.

Therefore it is that the rule itself is not ironclad. Otherwise none of the instances that I cite would not have been submitted to the Senate. If that was not general legislation, then the Chair ought not to have submitted it to the Senate, but ought to have held it in order directly; but he did not hold it in order directly, but he let the Senate vote upon it because it was a matter of too large public concern to be killed by a rule of the Senate.

Now, with respect to the Platt amendment, I wish the Senate to observe this analogy. The Senator says that the Platt amendment was not general legislation because it affected the Army, and, therefore, it was all right on the Army appropriation bill; but apply that in this case. This amendment affects agriculture, and therefore it is all right on the agricultural appropriation bill. But this goes further. This is an amendment to the meat-inspection law, which is reenacted in the agricultural appropriation bill. So if there is any analogy this case is stronger than the Platt amendment case, and if, upon the reasoning given by the Senator from Wisconsin, the Platt amendment was not general legislation, much less is this general legislation.

In addition to that, we have the consideration of the public policy for the Chair's attention, which is that this very provision, an integral part of the meat-inspection bill which went on the agricultural bill this last year unanimously and which is reenacted this year, is a part of the law itself.

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from Indiana yield to the Senator from Wyoming?

Mr. BEVERIDGE. Certainly.

Mr. WARREN. I want to ask the Senator from Indiana what he thinks of this proposed legislation contained in his amendment:

The fund thereby created shall be subject to the requisition of the Secretary of Agriculture, as if appropriated by Congress—

Mr. BEVERIDGE. I think that is a very good thing.

Mr. WARREN. The amendment proposed by the Senator continues:

for the necessary expenses of carrying out the provisions of this act, and shall continue permanently available until used.

Does that square itself with the legislation that we have been enacting of late by Congress?

Mr. BEVERIDGE. I very frankly say—and I do not desire to split any hairs about it—that the very purpose of my amendment is to cut off this taking of \$3,000,000 a year out of the Treasury of the United States and paying it for the packers' advertisements of inspection. We ought to make them pay it themselves.

Mr. SPOONER. In other words, you propose to enact general legislation in the broadest form.

Mr. BEVERIDGE. Now, Mr. President, I was making some analogies with the illustrations given by the Senator from Wisconsin. It was not upon those considerations, however—

Mr. SPOONER rose.

Mr. BEVERIDGE. Pardon me a moment. It was not upon those considerations that I was suggesting—and that I put it very delicately both the Chair and the Senate must admit—the propriety of submitting the question to the Senate. It was upon the real reason, after all, why all questions of this kind are submitted to the Senate, the real reason why all the illustrations I have given from the Philippine civil-government bill, the Hawaiian cable bill, and all the rest. They were submitted to the Senate by the Chair because they were matters of such large public concern that the Chair, acting in his discretion, said that they were things for the Senate to pass upon, and therefore he would not exercise his privilege of passing upon them. In making the suggestion I have made I will state again that that was the reason, and not, as the Senator knows, any distrust of the Chair's ability or the Chair's conscientiousness.

Mr. SPOONER. Mr. President I did not impute to the Senator as an individual Senator any reflection upon the capacity or good faith of the Chair. I was speaking in a general way upon what I considered to be in its nature rather offensive to a presiding officer—requests which have been more than once made at this session of Congress that the Chair submit a question to the Senate. The rules give the Chair the right to submit it to the Senate. That enables the Chair, if he has doubt or for any reason he prefers that the Senate should pass upon it in the first instance, to submit it to the Senate. That is one thing. A request from the floor of the Senate that the Chair shall submit to the Senate a given point of order, I say implies, Mr. President, of necessity, a fear, not that the Chair perhaps may decide it improperly—of course, not that—but that the Chair may not decide it as the Senator making the request wishes it to be decided. It is not polite and courteous—and I am not speaking of the Senator from Indiana—to the Chair, whoever he may be. That is a matter committed by the rules to the Chair. It is to be done or not to be done upon his initiative. It is to be done if he prefers to do it. It is not to be done, Mr. President, upon request from the floor, and under the constraint which such a request carries with it. That is what I think about it.

And, Mr. President, there is another thing to be said about it, which is a repetition upon my part. I take it the Chair—and I am not referring to the present occupant of the chair (the Vice-President in the chair), but to all occupants of the chair—sworn to the discharge of an important and conspicuous duty, will always decide points of order as to the Chair shall seem right, but any member of the Senate has a right—and it is not regarded by the Chair as offensive, and the Chair has no right to regard it as offensive—to appeal from the decision of the Chair to the decision of the Senate.

I should be very sorry if into the suggestion which I have made, not because the Senator from Indiana made this request, but it has been made several times at this session, and I have never heard it made without regret.

Mr. BEVERIDGE. Mr. President, it does not imply any lack of confidence in either the judgment or the conscience of the Chair to make, not a request—because that has not been made—but to suggest in the most delicate and polite terms that a great public question should be submitted to the Senate. It is not discourteous to the Chair that that should be done. If so, the books and the records of this session are full of similar affronts made by men who had served many years in this body and who made the suggestion for the same reason that the suggestion is made to-day, and upon the same reasons upon which the Chair all through our history has seen fit to submit to the Senate certain questions in regard to which, perhaps, the Chair himself was in no doubt.

Mr. President, I do not think very much discussion would have arisen here, because the Record will show that my suggestion, made before the point of order was made and perhaps while the Senator from Wisconsin was out of the Chamber, was put in language studiously courteous that the permissibility—of

course, I was aware that the Chair understood that it was permissible for him to do so—of its being submitted to the Senate.

In the instances that I have cited there was no impropriety discovered by the requests then made to submit those great questions to the Senate. Nobody ever thought to raise the question of impropriety. Every Senator knew, what I assume every Senator here now knows, that the only reason was that, in the mind of the Senator suggesting it, the gravity of the public matter involved in the decision was such that it would seem to be wise, as a matter of public policy, that it should be submitted to the Senate instead of being killed by the arbitrary operation of the Chair's decision under a rule. The Chair might be bound in deciding by rule to unfavorably dispose of a measure which the Senate and the country, for the deeper reason of public policy, might want to enact.

I do not think there would have been ten sentences of argument about this, save only the suggestion of the permissibility of submitting this to the Senate, so that the Senate itself could pass upon it. The citations of the precedents for such action were given without reading from these records on my desk; and when I was giving them, the kindly suggestion was made by the Senator from New Hampshire [Mr. GALLINGER]—and everybody is well informed as to his complete mastery of the parliamentary law and precedents of this body—that whereas I only gave three I might have given a score.

In each instance that I did cite, argument was not made that the subject of the point of order was not general legislation at all. Senators frankly met the question, which was that the matters were of sufficient importance to justify this body as a body in passing upon their merits, instead of compelling the Chair, by a decision under an arbitrary rule, to defeat a measure which would benefit the people. It all comes down to that, and the Senator from Wisconsin recognized that when he described, with a pathos that touched me, his conference at the White House with President McKinley. I had almost arisen then to ask him—though I resolved to hold my inquiry until afterwards—if that did not demonstrate the fact that when the public exigency was great enough the Senate, in the exercise of its common sense and the Chair recognizing the gravity of the situation, would not relax the rule and submit to the Senate the merits of the proposition. Of course, that is exactly what that illustration did prove.

All there is in this matter is this: The question is whether or not the Chair might think that this or any other question he would submit to the Senate was a matter of enough public concern for him to suspend the rule and do it.

I want to state to the Senator from Wisconsin that I hardly think he would respect me if I did not resent the suggestion that there was any discourtesy in speaking, in my own right as a Senator, to the Chair upon the point of order and the rules governing this body, of which I am a member. I remember that at the last day when the Senate was in session the Senator from Massachusetts [Mr. LODGE] rose—he could only do it by permission, and it was within the discretion of the Chair—and proceeded to give the Chair some advice concerning how he should rule upon a point of order. I have listened to the Senator from Wisconsin, the chairman of the Committee on Rules, at whose feet I sit, like Saul at the feet of Gamaliel, arise and instruct the Chair scores of times, and I never before suspected that in his instructing the Chair or giving the Chair the benefit of his knowledge upon points of order he really was cherishing in his breast any discourtesy.

I think the Senator and all Senators must, and gladly will, agree that the only question involved in submitting a question of this kind is the gravity of the measure and its importance to the American people. It is true that I was unfortunate in delivering my remarks and the proofs that I submitted to this body during the lunch hour, and while the Chair was compelled to be absent at luncheon, but I think it has been demonstrated, after all, in the brief discussion that recently occurred here, that this is a matter of sufficient gravity and sufficient general public concern to the nation for the Chair to permit the Senate itself to vote on it.

If the Senator from Wisconsin or the Chair cherishes any notion that in the suggestion, which was put with studied delicacy and politeness, there was anything to the contrary, I apologize in advance to the Chair. It has been done, of course, in the Senate before, frequently, without anybody ever questioning anybody's right to do it.

Mr. SPOONER. Mr. President, it is only fair that I should say to the Senator from Indiana [Mr. BEVERIDGE] again that in what I have said upon the question of propriety I imputed not at all to him any intention to be offensive to the Chair. I was dealing with the practice which is growing up in the Senate, and



which I make bold, without apology, to criticize. I am not opposed to the attitude of the Senator from Indiana on the merits of the proposition, and what I have said therefore is not antagonistic to his contention upon the merits.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. SPOONER. Certainly.

Mr. BEVERIDGE. What I want is exactly what the Senator from Wisconsin wants—an opportunity given Senators to vote upon the question.

Mr. SPOONER. I want more than that. The Senator referred to me as chairman of the Committee on Rules, which I have been for some years. I do not wish it to become a practice in the Senate, whenever a Senator thinks the Chair would, under his oath, decide the question of order one way and the Senate perhaps another, to request the Chair to forego his duty and to submit the question of order to the Senate. I do not think it is seemly in the Senate. The rule was not made for that. The rule was made in order to give the Chair the opportunity, which is sometimes, and sometimes ought to be, availed of, and it is the right of the Chair to submit a question of order to the Senate. The rule was not intended to give to Senators the proper function of asking the Chair—and a suggestion is a request about such a matter to an occupant of the chair who has any delicacy—not to decide it himself, but, in deference to the views of some Senator, to submit it to the Senate.

Mr. President, if a Senator rises and asks ordinarily that the Chair submit a question of order to the Senate, it places the Chair in an impossible position. It places the Chair under an embarrassment from which it is impossible for him to release himself except by submitting the question to the Senate. A notice of that sort from the Senate has peculiar weight and rather painful weight upon the Chair, the present occupant of the chair more than other occupants of the chair, because he is not a member of the Senate. A member of the Senate for the time being occupying the chair would feel a little more at liberty than an ex-officio occupant of the chair.

I was not speaking with reference to the Senator from Indiana. I was speaking of the subject, and I resolved not long ago that when next it rose, whoever presented it, I would submit that it is unjust to the Chair and not quite the dignified thing for the Senate to do.

Mr. President, the Senator from Indiana talks about degrees of importance in questions of order as bearing upon this subject. I confess I am not quite able to discern any substantial distinction in that respect. In small things, as in great things, the honest man does his duty; and the Chair will decide points of order, whether they are important or unimportant, as the Chair deems it a duty to decide; and, I insist, that whether the Chair will submit to the Senate a question which under the rules he has a right to decide himself ought to be left for the Chair to determine and not be upon open petition from the floor that the Chair abdicate his function and leave it upon request to the Senate. The decision of the Chair in no matter, small or great, is not final. The Senator makes a mistake when he asserts that a matter—

Mr. BEVERIDGE. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. SPOONER. Certainly.

Mr. BEVERIDGE. When I was making my remarks a moment ago I intended to answer the point, so far as I am personally concerned, by saying that although it is a right, I would under no circumstances appeal from the decision of the Chair or from the decision of any Presiding Officer in the Senate, although it is a legal right, unless it involved a matter of the profoundest conviction or the gravest danger. It would be a discourtesy. I recognize, like every other Senator, the entire right of the President of the Senate to do as he pleases.

Mr. SPOONER. It is no more a discourtesy to the Chair to appeal from his decision than it is a discourtesy to a judge to appeal from his decision; and not to appeal from the decision of the Chair when a Senator thinks it is wrong, and involves anything of substance, is to sacrifice duty to the phantom, and mere phantom, of etiquette or supposed etiquette.

If the Chair decides wrongly in a matter which I regard as of consequence I know it would not be taken as offensive by any level-headed Presiding Officer that even a friend should appeal from his decision. The Chair has no right to regard it as offensive, and the Chair would almost always rather, much rather, have an appeal taken and the point decided by the Senate than to feel that the Senate thought he had decided wrongly and, therefore, by himself alone killed some measure which was regarded as of importance.

Mr. ALLISON. Mr. President—

The VICE-PRESIDENT. Does the Senator from Wisconsin yield to the Senator from Iowa?

Mr. SPOONER. Certainly.

Mr. ALLISON. I thought the Senator had finished.

Mr. SPOONER. The Senator from Iowa, by rising and addressing the Chair, has done me the very great service of admonishing me that I have finished all that I have any good reason to say.

Mr. ALLISON. I apologize to the Senator from Wisconsin. I supposed he had finished his remarks.

Mr. SPOONER. I had.

Mr. ALLISON. I should like to ask the Chair what is the pending question?

The VICE-PRESIDENT. The Senator from Wyoming [Mr. WARREN] has made a point of order against the amendment proposed by the Senator from Indiana [Mr. BEVERIDGE].

Mr. ALLISON. That is not a debatable question, I believe.

The VICE-PRESIDENT. It is not. The debate has been proceeding thus far by unanimous consent.

Mr. ALLISON. I call for the regular order. I ask for a decision of that question.

Mr. GALLINGER. Mr. President, I presume after the decision is made I can submit a few brief observations which I have been waiting to make on the point of order.

Mr. ALLISON. I will withdraw the demand for the regular order until the Senator from New Hampshire shall have concluded, when I shall renew it.

Mr. GALLINGER. Mr. President, I shall not occupy the attention of the Senate many minutes. I shall not undertake to decide as to the propriety or impropriety of the request made by the senior Senator from Indiana [Mr. BEVERIDGE]. As I remember the matter, he made it in the most delicate manner possible, and did not make a request, but rather made a suggestion.

Mr. President, I have not been here for sixteen years to be ignorant of the fact that this is not an innovation, and it strikes me the Senator from Wisconsin [Mr. SPOONER] has taken the matter altogether too seriously. The same suggestion has been made over and over again to the presiding officer, and it is competent for the presiding officer to do practically as he pleases about it. I desire to call attention to some precedents—and I will occupy a very few minutes in doing so—in the action of the Senate on certain important matters along the line that has been discussed. I have not had time to look up many. I suggested to the Senator from Indiana that there were scores of cases in which questions of this kind have been submitted to the Senate.

As far back as the Thirty-first Congress, Mr. Howe made a point of order against an amendment proposed by Mr. Conkling, and the point of order, beyond a question, was good, but it was submitted to the Senate. A little later on, in the Forty-sixth Congress, the Senate having under consideration the bill (H. R. 1343) to provide for certain expenses of the present session of Congress, Mr. Plumb offered to amend it by adding "for mileage of Senators at the extra session." Mr. Wallace raised the point of order that the amendment not having been moved by direction of a standing or select committee of the Senate or in pursuance of an estimate from the head of a Department was not in order. The question was submitted to the Senate.

In the Forty-third Congress Mr. Allen offered to amend the agricultural appropriation bill by inserting:

For the purpose of purchasing and distributing seeds and seed grains among the drought-stricken inhabitants of the United States by the Secretary of Agriculture, and in his discretion and under such rules as he may prescribe, the sum of \$300,000, or so much thereof as may be necessary, the same to be made immediately available.

Mr. Vilas raised the point of order that the amendment was not moved by direction of a standing or select committee of the Senate or proposed in pursuance of an estimate of the head of some one of the Departments, and was therefore not in order under the first clause of Rule XVI. The then Vice-President, Mr. Stevenson, submitted the question to the Senate.

In the Forty-third Congress the telegraph cable company matter came up, when Mr. BLACKBURN raised the question of order, and it was submitted to the Senate by the Vice-President, Mr. Stevenson.

In the Thirty-second Congress a bill to supply deficiencies in appropriations for the year ending June 30, 1852, was pending, and an amendment was proposed to that which it was argued was not a proper amendment. Mr. William R. King, who was a very distinguished Senator and who occupied the chair at that time, submitted the question to the Senate.

In the Fifty-first Congress an amendment to the Indian appropriation bill was offered, and Vice-President Stevenson submitted it to the Senate, the same point being made that is made

to-day. In the Fifty-fourth Congress an amendment was offered to the Indian appropriation bill, and Mr. Faulkner, who was a most excellent presiding officer, submitted the question to the Senate.

The pension appropriation bill being under consideration in the Fiftieth Congress, an important amendment was offered to it, and a point of order was raised that it proposed general legislation to a general appropriation bill. The question was submitted to the Senate. I could cite, as I suggested to the Senator from Indiana, scores of instances if I had the time to look them up. I will not pursue the question further, although I had two or three other instances marked.

Mr. President, I rather agree with the Senator from Wisconsin [Mr. SPOONER] that it is not quite the proper thing for Senators to make a direct request of the Chair that a question of this kind should be submitted, but I noted with particularity the delicate manner in which the Senator from Indiana suggested to the Chair that this might be done—that there were precedents for it—and I am sure that had it been my fortune or misfortune to have occupied the chair, I should not have felt that any discourtesy was shown me in that suggestion.

As a rule, the presiding officer of this body decides questions. It is presumed that every occupant of the chair is competent to do it under the rules of the Senate, and yet there are so many cases in which these questions have been submitted to the Senate where they might have been decided offhand that I think we might be patient with each other at least when a suggestion of this kind is made. I have intimated to the Vice-President once during the present session that he might submit to the Senate a question in which I was interested, but I mentioned it to him at the chair. I took the trouble to visit the Vice-President for a moment for the purpose of making the suggestion. The Vice-President very kindly intimated to me that he did not think he would do it, and that settled it.

Mr. President, we ought not to get in heat over this matter, for there is a very important question involved. I wish it might be submitted to the Senate, I am free to say, because I should like to vote on it. I think it is one of the greatest questions which has been presented to the Senate during the time I have had the honor of serving here. But if the Chair feels it his duty to decide this question himself according to the rules of the Senate, as he will do, of course, I shall be content, as will the Senator from Indiana and every other Senator.

It is to be noted that we have a remedy in an appeal from the decision of the Chair, but no Senator is rash enough to appeal from the decision of the Chair when the Chair decides rightly. So an appeal from the decision of the Chair is rarely taken, and I certainly would be one of the last Senators to enter an appeal unless I was satisfied fully that the Chair had mistakenly ruled on a question of great public concern.

The Senator from Indiana very gently suggested that I was an authority on parliamentary law. I am not. If there is any man on earth, unless it is the present occupant of the chair, who can compass the rules of this body and administer them with impartiality, I do not know who he is, because I have heard arguments made on this floor by Senators during the present session in direct conflict to what they have argued in previous Congresses. I have heard contentions made here that were startling to me, and yet they have prevailed; and I confess that I think a revision of our rules, making them a little more comprehensible than they are at the present time, would be a very wise undertaking for some great Senator to engage in, and I regret that it has not been done long ago.

Mr. President, that is all I care to say on the subject.

Mr. WARREN. Regular order, Mr. President.

The VICE-PRESIDENT. The Senator from Wyoming [Mr. WARREN] makes several points of order against the amendment proposed by the Senator from Indiana [Mr. BEVERIDGE]. The Chair will consider but one, and that is that the amendment proposes general legislation. The rules of the Senate with respect to amendments proposed to appropriation bills are comprehensive and specific. Subdivision 3 of Rule XVI provides that—

No amendment which proposes general legislation shall be received to any general appropriation bill.

The question arises whether the amendment offered proposes general legislation. The Chair doubts whether there is a Senator within the Chamber who, upon the most casual reading of the amendment proposed, would not hold that it does distinctly and clearly propose general legislation. If it does propose general legislation and is in contravention of the rule, the Chair believes that it is his duty and in the interest of orderly procedure to hold that the point of order is well taken and that the amendment is out of order.

The precedents to which the attention of the Chair has been

directed with respect to the submission of questions of order to the Senate have no application to the pending question. The presiding officers have in past years occasionally submitted questions of order to the Senate. It has been done under the authority conferred by Rule XX, in the discretion of the Chair and not from suggestions from the floor. During the present session the Chair has frequently been invited by Senators to submit to the Senate points of order on amendments which were not in order, and in every case of such invitation the Chair has felt obliged to decline to do so. To assent to such suggestions is to break down the rules which the Senate has deliberately adopted for the conduct of public legislation.

The Chair feels that it is not for him lightly to break the rules and safeguards which the Senate has adopted for his and its guidance. The Chair, of course, has nothing to do with the merits of the amendment which is proposed. Whether the amendment is one of general public interest or otherwise is a matter with which the Chair can not concern himself. The Senators interested in the amendment are not remediless. The Chair, in holding that under the rule an amendment is not in order, does not kill the amendment. The Senate has provided against such a contingency by the rules which were long since adopted. If a majority of the Senate are of opinion that the ruling of the Chair is not in consonance with the spirit of the rules of the Senate, they may hold that the amendment is in order; or, if the Senate should be of opinion that in the large public interest an amendment should be received regardless of the rule, it is competent for the Senate so to decide, and a majority of the Senate may determine it.

The proposed amendment, which was offered by the Senator from Indiana on the 14th of February, was embodied in a bill introduced by him on the 6th of last December. The Chair is of opinion that if the measure is of such large consequence in the opinion of the Senate, as is now claimed, the Senate could have expressed itself upon that subject long prior to the closing hours of the present session and in an orderly and appropriate way.

For these considerations the point of order is sustained. The Chair would say further that under the rules of the Senate an appeal lies from this decision, and the Chair would invite such an appeal if he is in error in the view he entertains of the force and effect of the rule.

Mr. HANSBROUGH. I offer an amendment to come in at the end of line 4, page 27, of the new print of the bill.

The VICE-PRESIDENT. The Senator from North Dakota proposes an amendment which will be stated.

The SECRETARY. On page 27, at the end of line 4, it is proposed to insert the following:

*Provided further, That after any food carcasses, and any or all parts thereof, of such animals shall have been duly inspected as provided for in this act, and the same shall be found to be sound, healthful, wholesome, and fit for human food, and shall have been marked, stamped, tagged, or labeled as "Inspected and passed" as provided for in this act, thereafter any change of any of such food carcasses or parts thereof into food products of any kind by any slaughtering, canning, salting, rendering, or manufacturing establishment, thereby necessitating further inspection of such food products in its process of manufacture and in its manufactured form, all expense incurred in such inspection, including the stamping, tagging, or labeling of such manufactured food product, shall be borne by the individual, company, or corporation producing such manufactured food product; and for the purpose of reimbursing the Treasury for all expense incurred in consequence of such inspection of said manufactured food products, including the stamping, tagging, or labeling thereof, the Secretary of Agriculture shall, under such rules and regulations as he may prescribe, ascertain as near as may be the total amount of such expense, and report the same to the Secretary of the Treasury, who shall thereupon collect the same from the person, firm, or corporation who manufactured such food product; and said sums when so collected shall be deposited in the Treasury.*

Mr. WARREN. Mr. President—

The VICE-PRESIDENT. Does the Senator from North Dakota yield to the Senator from Wyoming?

Mr. HANSBROUGH. I presume the Senator from Wyoming rises for the purpose of making the same point of order against this amendment that he made against the amendment considered a little while ago; and with the understanding that the Senator will not press his point of order and that he will give me an opportunity to talk about a minute and a half or two minutes, I yield to him.

Mr. WARREN. I desire to make the point of order on the amendment. It is an amendment that was not estimated for, has not been reported favorably by any committee, and is general legislation and, in my opinion, of the broadest kind, if I may be permitted to say so. I do not wish to take the Senator off the floor.

Mr. HANSBROUGH. No.

Mr. WARREN. But I ask that the point of order may be passed upon at the proper time.

Mr. HANSBROUGH. I am glad the Senator makes his point of order just as strong as possible.



The VICE-PRESIDENT. The Chair will state that discussion upon the point of order is by unanimous consent.

Mr. HANSBROUGH. I ask unanimous consent that I may proceed for two or three minutes.

The VICE-PRESIDENT. Without objection, the Senator will be heard.

Mr. HANSBROUGH. Mr. President, under existing law relative to meat inspection the Government pays the cost of inspectors at all the meat-packing establishments. The amendment which I propose provides that when the packer takes the carcass, which has been inspected at the expense of the Government, for the purpose of working it up into canned meat or any other kind of food product, the Government being obliged, of course, to make an inspection of that process also, then the packer shall pay the cost of such second inspection. Surely it can not be claimed that the cost of such an inspection could be assessed back upon the stock raiser.

If I am not mistaken, this is the first bill or amendment to any bill which has been offered either in this Congress or the last Congress which provides that the packer shall pay for the inspection. All former bills provided, if I am not mistaken, that the Secretary of Agriculture should make an assessment; in other words, that he should levy a head tax on all animals, cattle, sheep, and swine slaughtered in the packing establishments. This amendment makes no such provision, but requires the Secretary of Agriculture to ascertain the cost of this second inspection and to assess that against the packers, whatever it may be, not so much per carcass, but the actual cost.

Of course, I do not care to take up the time of the Senate to discuss the merits of this great question. In my own judgment it will be the duty of the next Congress to bring in here, in view of the decision of the Chair, a general bill covering this subject, giving the two Houses an opportunity to vote their convictions, so elaborately discussed by the Senator from Indiana [Mr. BEVERIDGE], as to whether the American people should pay this tax, whether they use meats or not, and as to whether the packers themselves should not pay the cost of the advertisement they receive by having the brand of the United States put upon their products.

Mr. PENROSE. Mr. President, I ask for the regular order.

The VICE-PRESIDENT. The Chair sustains the point of order made by the Senator from Wyoming, and for the reasons heretofore given. Are there further amendments to the bill as in Committee of the Whole?

Mr. HEYBURN. Mr. President, I rise merely to suggest an amendment to correct an inadvertence in previous legislation upon a matter that is working a hardship. I am quite sure it was not the intention of Congress that such should be the result. On page 67, after the word "dollars," in line 3, I propose to insert an amendment. I will state the purpose of it in a word, because I can do it more quickly than by having it read.

It proposes to allow the homesteader at the end of five years to pay up to the Government all that is due under the reclamation act and be on the footing of other homestead settlers. Congress provided for the payment to be made in ten installments, and the Department holds that by reason of that the homesteader can not get his title for ten years. Of course that was not the intention of Congress, and it should be corrected.

I hope no point of order will be urged against the amendment. It carries no appropriation. It merely provides that upon complying with the law, at the end of five years the homesteader may receive his patent. Under the homestead law he may do that now, but in the reclamation act, through an inadvertence, doubtless, it was provided that the payment should be divided into ten parts. The amendment simply provides that at the end of five years he may pay up all payments and take his title and be on an equal footing with other homesteaders. The law can just as well be enacted in connection with this legislation, if the point of order is not raised against it, and make this property taxable and contributable for school and other local purposes. In the communities where this question arises they have no taxable property at all for the purpose of maintaining schools until the end of ten years, when they should have it at the end of five years.

So I propose the amendment which I send to the desk.

Mr. HANSBROUGH. I will ask the Senator if the amendment has been reported from a committee in the form of a bill?

Mr. HEYBURN. It was reported favorably as an amendment to this bill.

Mr. HANSBROUGH. From what committee?

Mr. HEYBURN. The Committee on Irrigation.

Mr. SPOONER. Let me ask if that is all there is in it?

Mr. HEYBURN. That is all there is in it, but is, of course, drawn in formal language.

The VICE-PRESIDENT. The amendment proposed by the Senator from Idaho will be stated.

The SECRETARY. On page 67, line 3, after the word "dollars," insert:

That section 5 of the act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 17, 1902, be amended by adding thereto the following proviso:

"Provided, That upon the expiration of five years from the date of the entry of said lands by said entryman, upon proof of residence and cultivation of said land as required under the homestead laws of the United States and proof of cultivation as required by this act, and upon the payment by said entryman to the receiver of the United States land office for the district in which the said land is situated of all installments due or to become due upon said land under the provisions of this act, whether in payment for the said lands or for water rights thereon, said entryman shall be entitled, without further delay, to receive a patent from the United States for the said land, and to be discharged from all liabilities for any other or further residence upon said lands or payments for said lands or water except maintenance charges under this act."

The amendment was agreed to.

Mr. PERKINS. I desire to ask that extracts from the annual reports of the Secretary of Agriculture and of the Chief of the Weather Bureau be placed in the RECORD for future reference, if occasion should require it. There has been some adverse criticism as to the amount of money expended under the direction of the Department at the Mount Weather Observatory, in Virginia, and I think this report answers all that adverse criticism.

The VICE-PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

[Extracts from annual reports of the Secretary of Agriculture and of the Chief of the Weather Bureau concerning the Mount Weather Meteorological Research Observatory, Mount Weather, Virginia.]

#### First reference in Report of Secretary for 1903.

It has been thought proper for many reasons to establish on the Blue Ridge Mountains, at Mount Weather, Bluemont, Va., a modern meteorological observatory of the best class for scientific research pertaining to problems of weather phenomena. A building for administration and for a school of instruction is being erected, and the plans are well advanced for a suitable power house and shop for balloon and kite ascensions, which will be built during the coming year. The recent advances in solar and terrestrial meteorology justify us in preparing to study at first hand the variations in the solar activity, and the corresponding changes in the weather conditions, especially from season to season. It is a complex problem and will require the best instrumental equipment, the ablest students, and a long series of observations before it can be finally solved. The desirability of being able to foresee a year in advance the type of season probable during a given period is so great as to make it imperative to lay broad scientific foundations at the beginning of the twentieth century, which will be of utility for future generations, who will surely build a great science of cosmical meteorology upon such data as can be supplied by the Mount Weather Observatory.

#### BUILDINGS ERECTED AND PROPOSED.

During the past fiscal year, through the appropriations by Congress, it has been possible to erect buildings for use as meteorological observatories for the Weather Bureau at the following-named places, and at a total cost of \$32,922.97, viz: Amarillo, Tex.; Modena, Utah; Key West, Fla.; Sand Key, Fla.; Southeast Farallone, Cal. And buildings are now in course of erection at the following places, the total cost of which will be \$70,000, viz: Yellowstone Park, Wyo.; Duluth, Minn.; Devils Lake, N. Dak.; Havre, Mont.; Mount Weather, Va.; Block Island, R. I.; Narragansett Pier, R. I.

The wisdom of erecting buildings for the exclusive use and under the control of the Weather Bureau becomes more apparent every day. It saves to the Government the amount heretofore paid for rent of office quarters, which in many cases are unsuited to our needs.

#### II. In Report of Chief of Weather Bureau for 1903.

##### MOUNT WEATHER RESEARCH OBSERVATORY.

The Weather Bureau is so far convinced of the importance of finding out the laws of these cosmical physics, by which alone the problem can be conclusively solved, that it has been thought proper to found a research observatory at Mount Weather, on the crest of the Blue Ridge Mountains, about 6 miles from Bluemont, Va., and equip it suitably for these investigations. Professor Bigelow has recently been placed in charge of supervising the plans for its construction and development upon the best modern principles. It is evident that such an institution, having its beginning in the early years of the twentieth century, will have an increased usefulness as the years go by, if it is organized according to the demands of the best science. It will require fine instruments and able students if it is to command the respect of the scientific world.

The subject of solar physics has already grown to such proportions that the British Association for the Advancement of Science has set off a solar physics section from astronomy and mathematics; the solar physics observatory at South Kensington, under the able directorship of Sir Norman Lockyer, is putting forth valuable results; the solar observations by the Italians for the past thirty years have become invaluable as a basis for these studies; the observatory at Kalcso, Hungary, and that at Zurich are known to all students for their important publications. Less directly, several of the great astronomical observatories are deriving some of their most valuable discoveries in astrophysics, which is simply another name for stellar meteorology. Thus Potsdam, Paris, Lick, Yerkes, Harvard, and other institutions are working zealously along these lines and filling out the realm of human knowledge in a fashion undreamed of a generation ago. It may be asked why, with all this wealth of material being secured in other places, it should be important for the Weather Bureau to enter upon these studies as well. The answer is simple. These observatories, for one thing, specialize along certain lines, and it is evident that there should be at least one institution in the United States where these results are brought together and studied side by side, so that their

combined result at a given time can be worked out harmoniously and correlated with the prevailing weather conditions. Furthermore, the publications of these several observatories are issued from the press as much as two to four years after the observations are actually made, so that it is obvious that these late reports can have little value in practical forecasting. We have no intention to enter upon the advanced research problems which rightly belong to specialists, but rather to adapt to the uses of the meteorologist and the forecaster such portions of the well-known types of observatories as seem to be practicable for the immediate uses of the Weather Bureau.

Specifically, the plan in mind contemplates the development of an observatory as indicated in the following statement:

(1) An observatory building is in process of erection at Mount Weather, which is well adapted as a school of instruction and for making observations of the ordinary kind with the common meteorological instruments, barometers, thermometers, wind and rain gauges, nephoscopes, theodolites, and actinometers. This first floor is for administration, the second for living quarters, the third for laboratories, and the roof for observing.

(2) Plans are being prepared for a plant adapted to generate large quantities of hydrogen for balloon ascensions, including a shop for the construction of balloons and kites. The ascensions will be limited to about 4 miles in height, our immediate purpose being to measure the temperatures and thermal gradients, which will enable us to construct daily isothermal charts on the two upper planes already described, so as to provide isotherms as well as isobars on the high levels. It is proposed to make a complete series of ascensions first at Mount Weather, and afterwards in different portions of the United States, in order to observe the temperature conditions in all classes of cyclones and anticyclones. We may attempt some high ascensions, up to 10 or 12 miles from the ground, when our experience and other conditions warrant, but, since storm movements are practically limited to the strata within 4 miles of the ground, the first group of ascensions will be to moderate elevations.

(3) It seems important to install a high-grade bolometer for measuring the invisible solar radiation, which is thought by some students to be largely responsible for the actual temperature of the upper atmosphere. Also, a first-class spectro-heliograph is required for keeping a record of the solar prominences, faculae, and spots prevailing at the time of making our weather forecasts. These two instruments are the essentials of an efficient solar physics observatory, and would require the services of an able student of physics to bring out the best results and discuss them efficiently in suitable reports.

(4) These records should evidently be supplemented by an observatory equipped with modern instruments for observations in atmospheric electricity and in magnetism, and we note that a number of valuable new instruments have been invented in recent years which we can use. The special subject of this research is the behavior of ions in the atmosphere as forerunners of weather conditions.

Generally the idea is to bring together for study under one direction the most valuable and practicable observations having a direct bearing on the higher meteorology, which is now engaging the attention of many able physicists and astronomers. In this field are found the best examples of physical and mathematical problems, because it is nature's great laboratory. The atmospheric conditions at Mount Weather are superb, the site being 1,800 feet above the sea level, on a ridge overlooking the wide Shenandoah Valley to the west and the plains of Virginia to the east. An equipment at that place, such as is contemplated, will induce a great scientific activity and generate an intellectual atmosphere highly favorable to the best scholarship. The assistants in charge of the various lines of work will form a strong corps of teachers, who will instruct a new generation of men in the great problems of meteorology, which are destined to occupy the attention of mankind in an increasing ratio with the lapse of time. If the equipment be made up of the very best instruments and able students secured to use them, and especially if patience be manifested in allowing the data to accumulate and be studied in the proper way, an improvement in forecasting for America should be assured. This institution is to be planned for continuous work in the future, and it is not supposed that its effect on forecasting will be immediately manifest, because of the difficulty and complexity of the problems involved. One thing is certain, that the founding of such a research institution is the true scientific way to provide for the future, in assurance that the natural difficulties will finally yield to human persistency and intelligence.

#### BUILDINGS ERECTED, REPAIRED, AND IMPROVED.

During the past two fiscal years, through the appropriations by Congress, it has been possible to erect buildings for use as meteorological observatories for the Weather Bureau at the following-named places:

Atlantic City N. J.:	
Cost of lot (Government reservation); cost of building.	\$6,000.00
Hatteras, N. C.:	
Cost of lot, \$125; cost of building.	\$4,875.00
Fort Canby (North Head), Wash.:	
Cost of lot (Government reservation); cost of building.	3,992.63
Port Crescent, Wash.:	
Cost of lot (Government reservation); cost of building.	1,000.00
Tatoosh Island, Wash.:	
Cost of lot (Government reservation); cost of building.	4,950.00
Point Reyes, Cal.:	
Cost of lot (Government reservation); cost of building.	2,989.90
Amarillo, Tex.:	
Cost of lot, \$1,255; cost of building.	\$6,503.00
Modena, Utah:	
Cost of lot (Government reservation); cost of building.	4,346.00
Key West, Fla.:	
Cost of lot, \$2,020; cost of building.	\$7,994.75
Sand Key Island, Fla.:	
Cost of lot (Government reservation); cost of building.	5,593.00
Southeast Farallone, Cal.:	
Cost of lot (Government reservation); cost of building.	5,211.22
Mount Weather, Va.:	
Cost of lot, \$1,413.90; cost of building.	\$15,663.13
Total	73,932.53

#### BUILDINGS IN COURSE OF ERECTION.

Buildings are now in course of erection at the following places:	
Yellowstone Park, Wyo.:	
Cost of lot (Government reservation); cost of building.	\$11,500.00
Duluth, Minn.:	
Cost of lot, \$2,100; cost of building.	\$7,900.00

Devils Lake, N. Dak.:	
Cost of lot, \$2,300; cost of building.	\$8,000.00
Havre, Mont.:	
Cost of lot, \$1,850; cost of building.	\$5,700.00
Mount Weather, Va.:	
Cost of lot, \$650; cost of building.	\$10,000.00
Block Island, R. I.:	
Cost of lot, \$1,100; cost of building.	\$7,700.00
Narragansett Pier, R. I.:	
Cost of lot, \$4,100; cost of building.	\$8,000.00
Total	70,900.00

#### AREA OF LAND OWNED BY THE WEATHER BUREAU.

The area of land purchased by the Weather Bureau during recent years, or transferred to that Bureau by the various branches of the Government, is as follows:

	Area.
Atlantic City, N. J. ....	square feet 5,000
Cape Henry, Va. ....	acre 1
Hatteras, N. C. ....	do 1
Jupiter, Fla. ....	do 1
Kittyhawk, N. C. ....	do 1
North Head, Washington. ....	do 1
Point Reyes light, California. ....	do 1
Port Crescent, Wash. ....	do 1
Sault Ste. Marie, Mich. ....	square feet 2,000
Tatoosh Island, Washington. ....	acre 1
Yuma, Ariz. ....	do 1
Amarillo, Tex. ....	do 1
Key West, Fla. ....	do 1
Bismarck, N. Dak. ....	acres 3
Sand Key, Fla. ....	square feet 2,500
Southeast Farallone, California. ....	acre 1
Mount Weather, Virginia. ....	acres 77
Modena, Utah. ....	acre 1
Yellowstone Park, Wyo. ....	do 1
Duluth, Minn. ....	do 1
Devils Lake, N. Dak. ....	do 1
Havre, Mont. ....	do 1
Block Island, R. I. ....	acres 1
Narragansett Pier, R. I. ....	do 1
Total area (about) ....	do 94

#### III. In Report of Secretary for 1904.

##### MOUNT WEATHER METEOROLOGICAL RESEARCH OBSERVATORY.

During the past the year the main building of the Mount Weather Observatory has been completed, while the power plant, the building from which balloon ascensions and kite flights are to be made, and the magnetic building are being constructed. The physical laboratory for electrical and radioactive effects is being planned, the erection of which will take place in another year. Finally, a comprehensive physical observatory for photographing the sun directly and through the spectrum, for measuring radiation energy by actinometry and bolometry, with their allied equipment, will be required. This complex institution must grow up slowly as plans can be matured along the best modern lines. When the equipment is ready we shall make and send out apparatus for the exploring of the atmosphere to altitudes of from 3 to 10 miles. It is probable that many balloons will be simultaneously liberated from different stations so as to get records of storms and cold waves from their four quadrants. With observations from the magnetic, the electric, and the solar physics observatories, opportunity for study will be given to those who believe that the cyclonic and anticyclonic whirls that constitute storms and cold waves are mainly the result of changes in the amount or intensity of some form of solar radiation. It is the purpose to make the research at Mount Weather catholic in its broadness.

#### IV. In Report of Chief of Weather Bureau for 1904.

##### OBSERVATORY BUILDINGS.

Carrying out the policy of the Department, the Weather Bureau has continued to cooperate with the leading universities throughout the country, and at the present time the relations existing are more cordial and the work done more important than at any time in the history of the service. Several universities and colleges have donated ground for the erection of buildings, notably the Bradley Polytechnic Institute of Peoria, Ill., and the Epworth University of Oklahoma City, Okla. Appreciation of the value of the work being done by the Weather Bureau has also been demonstrated by several other universities in placing at the disposal of the Bureau, without cost, office quarters in their buildings for recently established stations, among them being the Brown University, of Providence, R. I., and the University of Wisconsin, at Madison, Wis.

The erection of buildings by the Weather Bureau not only saves the amount previously paid for rent of office quarters, but adds very much to the prestige of the service here and abroad. This prestige will be further increased upon the completion of the group of observatory buildings at Mount Weather, Va., at which place it is intended to conduct extensive experimental and research work. The present appropriation provides for the erection of not less than five buildings, but this number has proven inadequate to the growing demands from all sections of the country, and it is hoped that Congress will soon increase the appropriation sufficiently to provide for the erection of not less than ten buildings annually.

##### Buildings owned by the Weather Bureau.

Location.	Value of lot.	Value of buildings.	Total value.
Amarillo, Tex. ....	\$1,255.00	\$6,503.00	\$7,758.00
Atlantic City, N. J. ....	(a)	6,000.00	6,000.00
Bismarck, N. Dak. ....	(a)	10,000.00	10,000.00
Block Island, R. I. ....	1,100.00	7,700.00	8,800.00
Cape Henry, Va. ....	(a)	9,104.25	9,104.25
Devils Lake, N. Dak. ....	2,300.00	8,000.00	10,300.00
Duluth, Minn. ....	2,100.00	7,900.00	10,000.00
Hatteras, N. C. ....	125.00	4,875.00	5,000.00
Havre, Mont. ....	1,850.00	5,700.00	7,550.00
Jupiter, Fla. ....	(a)	6,094.95	6,094.95
Key West, Fla. ....	2,020.00	7,994.75	10,014.75

(a) Government reservation.



## Buildings owned by the Weather Bureau—Continued.

Location.	Value of lot.	Value of buildings.	Total value.
Kittyhawk, N. C.	(a)	\$1,616.00	\$1,616.00
Modena, Utah.	(a)	4,346.00	4,346.00
Mount Weather, Va.:			
Observatory building	\$2,000.00	18,000.00	20,000.00
Power house and balloon building	650.00	8,000.00	8,650.00
Stable		2,000.00	2,000.00
Mount Washington, N. H.	(b)	300.00	300.00
Narragansett Pier, R. I.	4,100.00	8,000.00	12,100.00
North Head, Wash.	(a)	4,000.00	4,000.00
Point Reyes Light, Cal.	(a)	3,000.00	3,000.00
Port Crescent, Wash.	82.00	1,000.00	1,082.00
Sand Key, Fla.	(a)	5,593.00	5,593.00
Sault Ste. Marie, Mich.	(a)	3,000.00	3,000.00
Southeast Farallon, Cal.	(a)	5,211.22	5,211.22
Tatoosh Island, Wash.	(a)	5,000.00	5,000.00
Washington, D. C.	25,000.00	150,000.00	175,000.00
Yellowstone Park, Wyo.	(a)	11,500.00	11,500.00
Yuma, Ariz.	(a)	1,500.00	1,500.00
Total	42,582.00	311,938.17	354,520.17

a Government reservation.

b Leased.

## Weather Bureau buildings in course of construction, and approximate cost of each.

Location.	Cost of lot.	Cost of buildings.	Total cost.
Columbia, S. C.	\$3,799.00	\$9,170.00	\$12,969.00
Peoria, Ill.	54.00	7,915.00	7,969.00
Nantucket, Mass.	1,236.50	3,968.00	5,204.50
Mount Weather, Va. (3 buildings):			
Absolute building	(a)	6,500.00	6,500.00
Variation building	(a)	8,000.00	8,000.00
Kite building	(a)	3,000.00	3,000.00
Total	5,089.50	38,553.00	43,642.50

a Government reservation.

## THE MOUNT WEATHER METEOROLOGICAL RESEARCH OBSERVATORY.

At Mount Weather, Va., it is proposed to make and send out the apparatus for the exploring of the atmosphere to altitudes of 3 to 10 miles. In this work it is probable that many balloons will be simultaneously liberated from different stations, so as to get records of storms and of cold waves from their four quadrants. With the knowledge thus gained of vertical gradients of pressure and of temperature, it will doubtless be possible to gain a better understanding of the mechanics of storms. This exploration will be useful in determining how near right are those who believe that change in temperature other than seasonal is mainly a function of the mechanics of the lower atmosphere—that portion lying below the 10-mile level; that in the study of those aberrations of climate called "weather," investigators need concern themselves only with the atmosphere near the earth; and that variations in the condition and in the intensity of the many forms of solar radiation are inappreciable in their effect on the weather of the earth.

With observations from the magnetic, the electric, and the solar physics observatories which the Department is now building, and which will be equipped with the most approved appliances, opportunity will be given to those who believe that the cyclonic or anticyclonic whirls that constitute storms or cold waves are mainly the result of changes in the amount or intensity of some form of solar radiation. It is the opinion of the writer that the synchronism of changes in the activity of the chromosphere of the sun and the weather of the earth has not yet been established with sufficient definiteness to be of benefit to the forecaster, but a working hypothesis has been formulated which stimulates thought, study, and investigation. This fact must be credited to the patient work of Prof. Frank H. Bigelow. Even those who differ from him in their conclusions relative to the association between astrophysics and meteorology must admit that the fertility of his thought and his earnest seeking after the problems which, when solved, shall raise meteorology from empiricism to a closer approach to an exact science, have been highly beneficial. The study of storms has too long been made from a single view point. Daring minds are needed, even those that are willing to take a considerable hazard in the hypotheses which they are willing to lay down and attempt to demonstrate: for to doubt is to investigate. New truths are usually discovered by working inductively along conventional lines, but some of the greatest principles in nature have been made known to the world by deductive reasoning and by the assumption of a hypothesis that could not at the time be demonstrated. Due deference must be given to each other's opinions, and all must strive earnestly for the elucidation of the many difficult problems that now confront the meteorologist.

## LINES OF PROPOSED INVESTIGATIONS.

It is proposed to make the research at Mount Weather catholic in its broadness; to look for the truth, and not to despise its source or the means of its conveyance; to discuss meteorological observations from the point of view of their relations to solar physics; to select meteorologic and magnetic elements and compare them with solar observations; to carry on research in the allied subjects of radiation, atmospheric electricity, ionization of gases, radioactivity, etc. Progress in knowledge of the effects of the sun's actions upon weather conditions depends upon introducing more refined processes than have generally been assigned to meteorology. It is hoped to determine the nature of the alliance between meteorology and solar physics. The atmosphere of the sun and of the earth, together with the connecting radiations, will be studied as one branch of science having common interests, which may be designated as cosmical meteorology.

In the seven buildings at Mount Weather the Weather Bureau will have the most approved apparatus for measuring atmospheric electricity and magnetism, for measuring the solar radiation in the spectrum, for registering the sun-spot areas, the prominence output, and the extent of the faculae. These are all valuable as registers of the solar

energy, which, falling upon the earth, may play a part in stirring up the atmosphere and producing our weather.

## INTERPRETING THE LANGUAGE OF THE SUN.

The climate and crop conditions from year to year depend largely upon the invisible and subtle solar radiations, known to exist as waves, like those used in wireless telegraphy. The space between the sun and the earth—that is, the cosmical ether—is filled with wireless messages which science is laboriously learning to interpret. Its votaries do not understand the solar code very well, and the process of deciphering it is like that of learning to read the Babylonian inscriptions, namely, by putting this and that together, learning to read a bit here and there, by intercomparisons, trial, and failure, till at length the language of the sun shall be understood. The time may come when it may be possible to interpret the seasonal weather from year to year in advance. It has not yet arrived. The sun moves leisurely through its cycles and the terrestrial conditions seem to follow loosely. At present all available information concerning these matters comes in scattered form from observatories, in reports two or three years old. It is necessary, therefore, to have instruments, trained research observers and computers, and a discussion of results, subject to the direct control of the Weather Bureau.

## BUILDINGS COMPLETED AND PROJECTED.

During the past year the main building of the Weather Bureau observatory has been completed, the power plant and the building from which balloon ascensions and kite flights are to be made have been erected, and the magnetic buildings started. It has been found that the rocks are entirely free from magnetism, and that the field is uniform, so that it is a suitable place on which to locate a magnetic observatory. A physical laboratory for electrical and radioactive effects is being planned, the erection of which will take place during another year. Finally, a comprehensive physical observatory for photographing the sun directly and through the spectrum, for measuring the radiation energy by actinometry and bolometry, with their allied equipment, will be required. This complex institution must grow up slowly; as plans can be matured along the best modern lines, our assistants must be trained to work in several lines on a harmonious general plan, and the results must be carefully studied as the science progresses.

## V. In Report of Secretary for 1905.

## MOUNT WEATHER RESEARCH OBSERVATORY.

Under the authority of Congress, three years ago, the Department undertook the establishment of a station at Mount Weather, Virginia, devoted to meteorological research, and has established there a plant especially adapted to atmospheric research. The temperature, moisture, and movements of the air at great heights will be ascertained by means of balloons and kites; the absorption of solar heat by the atmosphere will be measured; the dissipation of solar light and heat will be determined; the special analysis of the sunbeam will be carried out, and the electric condition will be determined. In addition to this we have added apparatus for studying the relations to the atmosphere of the magnetism of the earth, the temperature of the soil, and even the motions of the earth. All those phenomena have been shown to have a more or less intimate connection with meteorology.

In so far as aerial research may require it, sounding balloons will be liberated from many of the weather stations in distant parts of the country in cooperation with those at Mount Weather, since it is considered very important to know the condition of the atmosphere above the land every day of the year up to the greatest attainable height, especially during the passage of storms and cold waves. Therefore, Mount Weather may be expected to do as much for the science of meteorology and the future improvement of the service as the service has already done during the past thirty-five years for the material interests of the United States. The employees at this station must necessarily live close by their apparatus, and provision must be made for all the ordinary needs of domestic life precisely as is done in all large astronomical observatories and in military establishments. This has been done economically and in accordance with established usage.

## VI. In Report of Chief of Weather Bureau for 1905.

It has encouraged the study of meteorology in educational institutions by allowing its scientists, outside of their official duties, to deliver courses of lectures to students, so that there are now twenty institutions of learning where meteorology forms a part of the curriculum, thereby giving preliminary training to the young men who, in after years, will succeed to the duties now performed by the meteorologists of the Government.

Finally, three years ago the Bureau began the establishment, at Mount Weather, Virginia, of an institution devoted purely to meteorological research.

In order that this country may do its share toward the advancement of meteorology along the lines that specially relate to conditions in America, it is imperative that the Weather Bureau should establish an observatory for its own special research work. It would seem a severe criticism to say that the United States Weather Bureau has 200 stations for routine observations, and spends such a large amount of money annually for routine work, without doing anything for the permanent improvement of the science upon whose development its efficiency depends. It was long since stated that the highest efficiency in any art implies a perfect knowledge of the higher science behind it.

We have therefore secured a piece of land and inaugurated work at an establishment that is intended to respond to the present and prospective needs of meteorology. We have called this the Mount Weather Research Observatory, and have organized it on a broad and elastic basis, so that it may from year to year expand with the growing knowledge of our needs. The other weather bureaus of the world have been inclined to make research more prominent than practical routine. Their appointments, their promotions, and internal organization, and their whole animus, are in harmony with the principle that in the present state of meteorology research is more important than forecasts; that to establish a new law is better than to forecast rains, frosts, or storms; that, in general, our knowledge of the atmosphere and its mechanics needs to be increased, so that we may venture upon forecasts that will establish a new standard of accuracy.

In order to prosecute the researches contemplated at Mount Weather we have established there a plant especially adapted to atmospheric research. By means of balloons and kites the temperature, moisture, and movements of the air at great heights will be ascertained. The absorption of solar heat by the atmosphere will be measured by means of the pyrheliometer and actinometer. The dissipation of solar light and heat will be determined by the polariscope. The special analysis of the sunbeam will be carried out by means of the bolometer and spec-



trometer. The electric condition will be determined by means of the electrometer, and the radioactivity, or ionization of the air, by means of the dissipation apparatus Ebert. To all this we have added apparatus for studying the relations to the atmosphere of the magnetism of the earth, the temperature of the soil, and even the motions of the earth as shown by the seismographs. All these phenomena have been shown to have a more or less intimate connection with meteorology.

In so far as aerial research may require it, sounding balloons will be liberated from many of the weather stations in distant parts of the country in cooperation with those at Mount Weather, since it is considered very important to know the condition of the atmosphere above the land every day of the year up to the greatest attainable height, especially during the passage of storms and cold waves. These so-called "sounding balloons" may attain altitudes of 20 miles. Through them a record will be obtained of the winds and temperatures at that height as well as throughout the whole intermediate strata. Therefore Mount Weather may be expected to do as much for the science of meteorology and the future improvement of the service as the service has already done during the past thirty-five years for the material interests of the United States. As this country led the world in the practical application of meteorology, it is desired henceforth to lead in the development of the science itself.

In addition to the observational side of the above-mentioned studies, it is absolutely necessary to provide conveniences for experimental work—that is to say, a physical laboratory in which to investigate all questions that yield to treatment by experiment, as distinct from pure observation. There is also needed a power house and an electrical installation for the manufacture, by the electrolytic process, of the hydrogen gas for the use of balloons. This process has been demonstrated to be by far the most convenient and economical method of obtaining large quantities of pure hydrogen. It has been necessary to obtain the cooperation of the manufacturers of India rubber in order to secure a material that will retain its elasticity at the very low temperatures to which the balloons are exposed at great altitudes.

As meteorology is essentially a study of the physics of the atmosphere, the physical laboratory becomes the central life of the institution. A capable physicist has therefore been selected as the supervising director of the whole institution, and men of the highest talent for each line of coordinated research.

Similar institutions designed to carry on one or more of these lines of study have been established at Potsdam, near Berlin; Pavlovsk, near St. Petersburg; Montsouris and Parc St. Maur, near Paris, and Kew Observatory, near London, but we have combined in the Research Observatory, at Mount Weather, the principal duties that devolve upon all those observatories, with the special kite work and balloon work carried on by the famous observatory for dynamic meteorology established at Trappes, near Paris, by Teisserenc de Bort, the private observatory of Mr. A. L. Rotch, at Blue Hill, near Boston, and the new institution established by the Government of Prussia, at Lindenberg, about 40 miles southeast of Berlin, where aerial research will be prosecuted under Assmann.

As in the case of all these establishments, so also with the institution at Mount Weather, the employees must necessarily live close by their apparatus, and provision must be made for all the ordinary needs of domestic life precisely as is done in all large astronomical observatories and in military establishments. This has been accomplished economically and in accordance with established usage.

As it may happen that others, not employees of the Bureau, may be engaged in research that is of importance to the Weather Bureau, it is contemplated to extend to such every facility for the prosecution of their studies at this institution, in the belief that the Bureau will receive great advantage from the association of distinguished scholars and experts.

#### WORK OF THE YEAR, WITH RECOMMENDATIONS—THE MOUNT WEATHER RESEARCH OBSERVATORY.

**Buildings completed and projected.**—Work on both buildings and grounds at the Mount Weather Research Observatory, Virginia, has been pushed as vigorously as circumstances would permit. The administration building and weather station was completed and equipped last fall and observations begun, which have since been used daily by the forecasters at Washington. Two magnetic observatory buildings have been completed during the year, one for absolute and one for differential determinations of the elements of the earth's magnetism. The instruments for both magnetic observatories are now being installed. The Power house, which was completed during the last fiscal year, has been fitted with engines, generators, etc., for use in aerial work. All of the large machines were in place by the end of March, 1905, and work was then resumed on the revolving kite shelter, which was completed before the end of the fiscal year. Work was begun on the building for the physical laboratory in July. There are still some difficult questions regarding the best plans for the solar physics work, but as a final decision is not required at present, more time will be employed in consultation.

In planning the power house and kite shelter and in the installation of machinery in the first named, valuable aid has been rendered by Prof. Charles F. Marvin.

The schedule of apparatus for the solar physics observatory has been submitted to prominent instrument makers for estimates as to cost of construction.

The subject of solar radiation appears to be so important that early in the year the climatologist, Mr. H. H. Kimball, was instructed to prepare himself to take up this line of research at the Mount Weather Observatory. Through the courtesy of Secretary S. P. Langley, of the Smithsonian Institution, arrangements were made for the detail of Mr. Kimball to the Astrophysical Observatory for instructions and actual work in connection with the spectro-bolometric apparatus devised and used at that observatory. This detail commenced on May 1, 1905, and will probably continue until October of the same year. The practical experience thus gained by Mr. Kimball should be of great value to the Bureau when the study of solar radiation is taken up in earnest.

Observations with the Angström pyrheliometer and the Pickering polarimeter have been continued at Washington throughout the year. A discussion of the results will be found in the Monthly Weather Review for March, 1905. The Angström instrument has been carefully compared with the actinometers used by the Smithsonian Institution. It is hoped that this will enable us to connect European actinometer work with Professor Langley's spectro-bolometric work, and perhaps to thus obtain some knowledge of variations in solar radiation over a considerable period of time.

**Meteorological observations at Mount Weather.**—Regular twice-daily observations of the several meteorological elements were begun at

Mount Weather in November, 1904, and have been continued uninterruptedly since that time.

**Personnel of Mount Weather Observatory.**—The research staff has been strengthened by the appointment of William J. Humphreys, Ph. D., Johns Hopkins University, and late professor of physics in the University of Virginia, to be supervising director at Mount Weather, to take effect July 1, 1905, and the recall of Mr. Louis G. Schultz from temporary detail in Argentina in connection with the equipment of magnetic observatories in that country.

Mr. Herbert L. Solyom, recently of the United States Patent Office, has been appointed as a special aid to Professor Humphreys in studies of radiation, ionization, and solar physics.

The organization of the Mount Weather Observatory as at present constituted is as follows:

**At Washington.**—Director: The Chief of Bureau.  
Board of advisers: Prof. Cleveland Abbe, Prof. Frank H. Bigelow, chairman; Prof. Henry J. Cox, Prof. Edward B. Garriott, Prof. Alfred J. Henry, Prof. Alexander G. McAdie, Prof. Charles F. Marvin, Prof. Harry C. Frankfield, and Prof. William J. Humphreys.

**At Mount Weather.**—Supervising director: Prof. William J. Humphreys, who shall have supervision in detail of all work in the physical laboratory and solar physics observatory and general, rather than detailed, supervision of other researches. He will aid the research directors in matters wherein his knowledge may be of assistance, and will be an adviser rather than a director of their research, although in all matters of cooperation between research directors he will have the controlling voice. He will have charge of the discipline of the institution, referring to the Chief of Bureau such matters as can not be settled at the station.

Mr. Herbert H. Kimball, who, through the courtesy of Prof. S. P. Langley, is receiving special training in the use of the bolometer in the Smithsonian Institution, will be Professor Humphreys's principal aid in solar physics, and Mr. Herbert L. Solyom, who, by the kindness of Prof. E. B. Frost, is doing special work at the Yerkes Observatory, will be an additional assistant.

Director of magnetic and electric research: Mr. Louis G. Schultz, who shall have charge of the magnetic observatories and observations in atmospheric electricity and special electric and magnetic research.

Director of upper air research: Dr. Oliver L. Fassig, who shall have charge of balloon and kite observations and the discussion thereof. Messrs. Schultz and Fassig will arrange for cooperation in the taking of electrical observations from kites.

Observer in charge of property: Mr. Charles S. Wood, who, under the general control of the supervising director, shall have charge of the premises, repairs, improvements, heating and lighting, power plants, horses and vehicles, meteorological observations and forms, and the mess and forage funds. He may correspond direct with the central office in regard to the details of the work with which he is charged.

Each official will discuss his own observations and, so far as possible, correlate the events shown by his reports with those indicated by the observations of others. There will be a cheerful willingness to cooperate for the general good of the institution and the advancement of the science of meteorology.

There will be no publication in the bulletins of the Bureau of mere argument of abstract theories in science. The place for such is the scientific publications, which are open to all. No more data will be published in the announcement of results than are necessary to make clear the subject-matter, except when the data are new.

The prime object of the institution, viz, the taking of observations and the gathering of data with which to make experimentation and prosecute research, will be kept in mind. Unpublished data will be open to the use of all recognized investigators, and cooperation with other scientific workers will be encouraged. Questions that may directly or indirectly be of value to the science of meteorology will be proper subjects for investigation. The field of inquiry will therefore be a broad one.

#### PROBLEMS IN INSTRUMENTAL EQUIPMENT AWAITING SOLUTION.

For a number of years Prof. Charles F. Marvin, the official in charge of the instrument division, has endeavored to give a portion of his time and efforts to the study of problems which are directly related to the development of new apparatus and the perfection of the equipment now in use. Such efforts seemed to be indispensable, in order to keep pace with the demands for better instrumental devices. Thus far, however, while the value of such work has been conceded, it has had no recognized place or funds in the yearly schedule, and much of the little that has been done was accomplished only by effort during extra hours when the official in charge of the instrument division could be free from the constant interruption incident to the daily routine. During the last ten years the extension of the service with respect to the instrumental equipment of stations has been very great. In 1895 only about 361 automatic instruments of all kinds were in operation at stations. The number at the present time is 1,195.

Instrumental apparatus has been greatly improved and perfected; many new designs have been brought out and other scientific work accomplished, such, for example, as the partial determination of the constants of the anemometer equation and the relation of wind velocities and pressures; the determination of vapor pressures at low temperatures; studies upon the mechanics and equilibrium of kites, etc.

At no time in its past history has the Bureau assumed such an attitude toward the solution of the scientific problems of meteorology as at the present time. Extensive preparations are being made for a comprehensive study of difficult matters that may require years for their solution. At the same time many of the simpler but equally important problems are pressing for attention which it is hoped may be given in the near future.

Some of the investigations that can be taken up when the laboratories at Mount Weather are finished are as follows:

(1) Studies in the development of practical apparatus for the measurement and registration of evaporation, both in the interest of plant physiologists and irrigation engineers.

(2) Apparatus for the better observation and the automatic registration of humidity, especially at low temperatures.

(3) Apparatus for the indication at local offices of river stages. Some work was done on this problem last year, but thus far opportunity has not offered to bring the matter to a satisfactory status.

(4) Apparatus for measurement and registration of solar radiation. This embraces not only the present type of station sunshine recorders, in which improvement is needed, but also the class of instruments known as "pyrheliometers," "actinometers," etc., such as have been employed for some years by Mr. H. H. Kimball in his special observations.



(5) Stations need apparatus for the more exact registration of the beginning and ending of precipitation. A device for this purpose has been partially worked out by Dr. Oliver L. Fassig, but important structural and mechanical improvements are required to render this device actually available for station use.

(6) Improvements are required in telethermographs. These instruments are needed at many stations.

(7) Rain gauges are needed suitable for exposure on mountain ridges remote from the habitation of the observer and in the watersheds of great rivers, so that the precipitation, snow or rain, for a whole season can be collected and measured, even though regular daily observations be not made.

(8) Apparatus intended for the recording of lightning has already received some attention, but we should be in a position to discuss the structural details of these devices and their merits and demerits on a basis of real experience.

(9) The new science of seismometry has revealed how widely sensitive the seemingly rigid earth really is to vibrations in its crust, and that all great earthquakes can be recorded over the entire globe by sufficiently sensitive instruments. On April 4, 1905, a great earthquake occurred in northwestern India, killing and injuring a great many people and causing the total destruction of towns and villages. The entire crust of the earth was set into elastic vibrations, which were recorded at the Weather Bureau and all over the world wherever delicate seismographs were maintained. Dr. F. Omori, secretary of the earthquake investigation committee of Japan, reports concerning the Indian earthquake that the large seismograph at Tokyo recorded first the waves proceeding from India to Tokyo direct, via Siberia, and later on those which, crossing Europe and America, reached Japan by way of the Pacific Ocean. Still more remarkable than this, the seismogram at the Osaka Meteorological Observatory showed the waves which, having reached Japan from India direct, passed on across the Pacific Ocean, America, and Europe, and finally, as it seems, returned to Japan, after having made literally a complete circuit of the earth. The time required was two hours, three minutes, and thirty-five seconds. Certain seismic records appear to show that the crust of the earth is appreciably sensitive to great meteorological changes, and these the Weather Bureau is preparing to study with the aid of the instruments at Washington and those it is about to install elsewhere. The great delicacy of these instruments requires corresponding skill and attention in their maintenance.

(10) The Weather Bureau is almost daily in receipt of requests for information relative to high wind velocities and the relation of pressure to velocity. This is a subject in great need of further experimental investigation.

(11) Similar to the foregoing is the question of atmospheric humidity at temperatures above 100° F. The present humidity tables end at 140° F. Many inquiries are received for values at higher temperatures, such as are encountered in methods for artificial drying, etc.

The Bureau can render a distinct service to many interests by an accurate extension of the tables into the upper ranges of temperature.

There is a demand upon the Bureau for authoritative results in each of the several lines of inquiry cited, but progress on such original work has heretofore been impossible; now, however, with the completion of the physical laboratory at Mount Weather, which, it is expected, will be under roof before cold weather, and the installation of apparatus in this and other buildings at that place, these important problems may soon be attacked with hope of success in their solution.

#### OBSERVATORY BUILDINGS.

The Weather Bureau completed the erection, during the fiscal year, of six buildings, and also has in course of construction six additional buildings. The following tables give the number of buildings owned by the Weather Bureau, the number in course of construction, the number of rented buildings occupied wholly for office and living purposes, and the stations at which living quarters are furnished by the Government separate from offices:

##### Buildings owned by the Weather Bureau.

Location.	Value of lot.	Value of buildings.	Total value.
Amarillo, Tex.	\$1,255.00	\$6,503.00	\$7,758.00
Atlantic City, N. J.	(a)	6,000.00	6,000.00
Bismarck, N. Dak.	(a)	10,000.00	10,000.00
Block Island, R. I.	1,100.00	7,700.00	8,800.00
Cape Henry, Va.	(a)	9,104.25	9,104.25
Columbia, S. C.	3,799.00	9,170.00	12,969.00
Devils Lake, N. Dak.	2,300.00	8,000.00	10,300.00
Duluth, Minn.	2,100.00	7,900.00	10,000.00
Hatteras, N. C.	125.00	4,875.00	5,000.00
Havre, Mont.	1,850.00	5,700.00	7,550.00
Jupiter, Fla.	(a)	6,094.95	6,094.95
Key West, Fla.	2,020.00	7,994.75	10,014.75
Kittyhawk, N. C.	(a)	1,616.00	1,616.00
Modena, Utah.	(a)	4,346.00	4,346.00
Mount Weather, Va.:			
Observatory building	2,000.00	18,000.00	20,000.00
Power house and balloon building.	650.00	8,000.00	8,650.00
Absolute building.	(a)	6,500.00	6,500.00
Variation building.	(a)	8,000.00	8,000.00
Kite building	(a)	3,000.00	3,000.00
Stable	2,000.00	2,000.00	2,000.00
Mount Washington, N. H.	(b)	300.00	300.00
Nantucket, Mass.	1,236.50	3,968.00	5,204.50
Narragansett Pier, R. I.	4,100.00	8,000.00	12,100.00
North Head, Wash.	(a)	4,000.00	4,000.00
Peoria, Ill.	54.00	7,915.00	7,969.00
Point Reyes Light, Cal.	(a)	3,000.00	3,000.00
Port Crescent, Wash.	82.00	1,000.00	1,082.00
Sand Key, Fla.	(a)	5,593.00	5,593.00
Sault Ste. Marie, Mich.	(a)	3,000.00	3,000.00
Southeast Farallon, Cal.	(a)	5,211.22	5,211.22
Tatoosh Island, Wash.	(a)	5,000.00	5,000.00
Washington, D. C.	25,000.00	150,000.00	175,000.00
Yellowstone Park, Wyo.	(a)	11,500.00	11,500.00
Yuma, Ariz.	(a)	1,500.00	1,500.00
Total	47,671.50	350,491.17	398,162.67

<sup>a</sup> Government reservation.

<sup>b</sup> Leased.

#### Weather Bureau buildings in course of construction, and approximate cost of each.

Location.	Cost of lot.	Cost of buildings.	Total cost.
Bentonville, Ark.	\$500.00	\$5,500.00	\$6,000.00
Burlington, Vt.	(a)	10,000.00	10,000.00
Mount Weather, Va., physical laboratory building.	(b)	13,000.00	13,000.00
North Platte, Nebr.	1,000.00	3,000.00	4,000.00
Oklahoma, Okla.	(d)	10,000.00	10,000.00
Springfield, Ill.	(b)	10,000.00	10,000.00
Total	1,500.00	51,500.00	53,000.00

<sup>a</sup> Donated by University of Vermont.

<sup>b</sup> Government reservation.

<sup>c</sup> One-half cost, as building will take two years to complete.

<sup>d</sup> Donated by Epworth University.

#### VII. In Report of Secretary for 1906.

##### OBSERVATORY BUILDINGS.

Five observatory buildings have been completed during the year, and one (the physical laboratory at Mount Weather, Va.) has been partially completed. The number of buildings of all classes now owned and occupied by the Weather Bureau is forty-one.

##### MOUNT WEATHER RESEARCH OBSERVATORY.

Progress has been made in the establishment of the Mount Weather Research Observatory. A station of the first order has been maintained throughout the year for taking and telegraphing reports that are useful in making forecasts.

In the preparation for kite and balloon work, a number of important instruments have been installed and made ready for systematic work. Observations of the upper air are now being regularly taken in concert with similar aerial research institutions in foreign countries.

The interior finishings of the magnetic observatory buildings, the erection of the piers, and the installation of the magnetic instruments were completed during the year, and automatic and other records are now being continuously made.

#### VIII. In Report of Chief of Weather Bureau for 1906.

##### MOUNT WEATHER RESEARCH OBSERVATORY.

The meteorological work of a first-order station has been maintained throughout the year, and telegraphic reports were transmitted to the central office in Washington daily at 8 a. m. and 8 p. m.

Work on the Physical Laboratory was resumed in July and satisfactory progress was made during the summer and fall of 1905. The building will probably be completed early in 1907.

In the preparation for kite and balloon work a number of important instruments have been installed and made ready for systematic work. Among these may be mentioned: (1) The electrolyzer, for the manufacture of the hydrogen gas employed in the kite balloon and the small rubber balloons; (2) the apparatus for the manufacture of liquid air, employed in testing thermometers at very low temperatures; (3) the apparatus used in testing the barometers, thermometers, and meteorographs employed in connection with the kites and balloons. A medium-sized power kite reel was installed in the revolving kite house early in the year, and experimental kiteflying was begun in September of 1905. During the year the stock of meteorographs, of kites, and of kite wire was materially increased: the instrumental equipment now includes eight different styles of kite—balloon meteorographs, comprising English, German, and French designs, in addition to the Marvin type heretofore used in the kite work of the Bureau, and the new Ferguson pattern used at the Blue Hill Observatory.

In April, 1906, systematic cooperation was begun in connection with the work of the International Commission of Aerial Research by flying kites on prearranged term days, and this work is being regularly maintained.

The interior finishings of the magnetic observatory buildings, the erection of the piers, and the installation of the magnetic instruments were completed during the year.

The instruments for absolute observations, except the declinometer and some auxiliary apparatus, were received and set up before January 1, 1906. The remaining absolute instruments were received and put in place by the end of May, and routine observations were established at the end of the fiscal year.

The Eschenhagen magnetographs were set up in the basement of the absolute observatory in December, 1905, and have given a satisfactory record of the magnetic elements since that time. The Wild magnetographs were received and installed by the first of June, and were being adjusted at the close of the fiscal year.

A gas plant for heating and illuminating the magnetic observatories was put in during the winter and has given satisfactory service since then.

Plans were prepared for an additional office and dwelling for the director of upper-air research, and work on this building was begun July 1, 1906.

##### OBSERVATORY BUILDINGS.

The Weather Bureau buildings referred to in my last report as being in course of construction at Bentonville, Ark.; Burlington, Vt.; North Platte, Nebr.; Oklahoma, Okla.; Springfield, Ill., and a physical laboratory at Mount Weather, Va., have been completed and are now occupied, with the exception of the last, which will probably be completed before July 1, 1907.

The following is a complete list of the buildings owned by the Weather Bureau, with the cost of the land and buildings in each case:

##### Buildings owned by the Weather Bureau.

Location.	Value of lot.	Value of buildings.	Total value.
Amarillo, Tex.	\$1,255.00	\$6,503.00	\$7,758.00
Atlantic City, N. J.	(a)	6,000.00	6,000.00
Bentonville, Ark.	570.40	5,144.50	5,714.90
Bismarck, N. Dak.	(a)	10,000.00	10,000.00
Block Island, R. I.	1,100.00	7,700.00	8,800.00
Burlington, Vt.	(b)	10,505.95	10,505.95

<sup>a</sup> Government reservation.

<sup>b</sup> Donated by University of Vermont.

## Buildings owned by the Weather Bureau—Continued.

Location.	Value of lot.	Value of buildings.	Total value.
Cape Henry, Va.....	(a)	\$9,104.25	\$9,104.25
Columbia, S. C.....	\$3,799.00	9,170.00	12,969.00
Devils Lake, N. Dak.....	2,300.00	8,000.00	10,300.00
Duluth, Minn.....	2,100.00	7,900.00	10,000.00
Hatteras, N. C.....	125.00	4,875.00	5,000.00
Havre, Mont.....	1,850.00	5,700.00	7,550.00
Jupiter, Fla.....	(a)	6,094.95	6,094.95
Key West, Fla.....	2,020.00	7,994.75	10,014.75
Kittyhawk, N. C.....	(a)	1,616.00	1,616.00
Modena, Utah.....	(a)	4,346.00	4,346.00
Mount Weather, Va.: Observatory building.....	2,000.00	18,000.00	20,000.00
Power house and balloon building.....	650.00	8,000.00	8,650.00
Absolute building.....	(a)	6,500.00	6,500.00
Variation building.....	(a)	8,000.00	8,000.00
Kite shelter.....	(a)	3,000.00	3,000.00
Stable.....	(a)	2,000.00	2,000.00
Barn.....	(a)	900.00	900.00
Cottage for workmen.....	(a)	1,300.00	1,300.00
Mount Washington, N. H.....	(b)	300.00	300.00
Nantucket, Mass.....	1,236.50	3,968.00	5,204.50

a Government reservation.

b Leased.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

## POST-OFFICE APPROPRIATION BILL.

Mr. PENROSE. I move that the Senate proceed to the consideration of the bill (H. R. 25483) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1908, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Post-Offices and Post-Roads with amendments.

Mr. PENROSE. I ask that the formal reading of the bill be dispensed with, that the bill be read for the consideration of amendments, and that the committee amendments be first considered.

The VICE-PRESIDENT. The Senator from Pennsylvania asks unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the committee amendments be first considered. Without objection, it is so ordered. The Secretary will proceed to read the bill.

The Secretary proceeded to read the bill. The first amendment of the Committee on Post-Offices and Post-Roads was, under the subhead "Office of the Postmaster-General," on page 3, line 11, before the word "in," to insert "including livery hire;" so as to make the clause read:

For livery hire incurred by inspectors not covered by their per diem allowance, including livery hire in connection with the installation and inspection of rural routes, \$60,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 4, to insert:

That hereafter the Postmaster-General may from time to time designate any employee in the office of the Third Assistant Postmaster-General above the grade of a clerk of Class E to sign warrants, collection and transfer drafts in his stead, and such warrants and drafts when so signed shall be of the same validity as if signed by the Postmaster-General.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster-General," on page 5, after line 6, to strike out:

That hereafter clerks in offices of the first and second class shall be divided into seven grades, as follows: First grade, salary \$600; second grade, salary \$700; third grade, salary \$800; fourth grade, salary \$900; fifth grade, salary \$1,000; sixth grade, salary \$1,100; seventh grade, salary \$1,200. That clerks shall be promoted successively to the fourth grade in offices where the annual gross receipts shall be less than \$50,000; and to the fifth grade in offices where the annual gross receipts shall be at least \$50,000 and not in excess of \$200,000; and to the sixth grade in offices where the annual gross receipts shall be in excess of \$200,000: *Provided*, That the salary of clerks in second-class offices, except in localities where unusual conditions exist, shall not exceed \$1,000.

That hereafter carriers in the city delivery service shall be divided into five grades, as follows: First grade, salary \$600; second grade, salary \$800; third grade, salary \$900; fourth grade, salary \$1,000; fifth grade, salary \$1,100. That carriers shall be promoted successively to the third grade in offices where the annual gross receipts shall be less than \$50,000; and to the fourth grade in offices where the annual gross receipts shall be at least \$50,000 and not in excess of \$200,000; and to the fifth grade in offices where the annual gross receipts shall be in excess of \$200,000: *Provided*, That the compensation of a letter carrier shall not exceed \$900 in offices where the annual gross receipts are less than \$50,000; and shall not exceed \$1,000 in offices where the annual gross receipts are in excess of \$50,000 and not in excess of \$200,000; and shall not exceed \$1,100 in offices where the annual gross

receipts are in excess of \$200,000: *Provided further*, That letter carriers and clerks employed in cities recognized by the Post-Office Department as now having a population in excess of 75,000, where the gross receipts of said offices at the time of the passage of this act are less than \$200,000, shall be entitled to all the privileges and subject to all the requirements of this act applicable to post-offices whose gross receipts are in excess of \$200,000.

And to insert the following:

That after June 30, 1907, clerks in offices of the first and second class and carriers in the city delivery service shall be divided into six grades, as follows: First grade, salary \$600; second grade, salary \$800; third grade, salary \$900; fourth grade, salary \$1,000; fifth grade, salary \$1,100; sixth grade, salary \$1,200. Clerks and carriers at first-class offices shall be promoted successively to the fifth grade, and clerks and carriers at second-class offices shall be promoted successively to the fourth grade.

Mr. McCUMBER. I hope that amendment may be passed over for the present.

Mr. PENROSE. Let it be passed over.

The VICE-PRESIDENT. The amendment will be passed over at the request of the Senator from North Dakota.

The next amendment was, on page 7, after line 14, to insert:

The annual gross receipts upon which the adjustment of the salaries of clerks and carriers for any fiscal year is based under the terms of this act shall be for the same period as the annual gross receipts on which the compensation of the postmaster is based.

The amendment was agreed to.

The next amendment was, on page 7, line 20, after the word "That," to strike out "hereafter" and insert "after June 30, 1907;" so as to read:

That after June 30, 1907, all promotions of both clerks and carriers shall be made at the beginning of the quarter following the expiration of a year's service in the next lower grade.

The amendment was agreed to.

The next amendment was, on page 8, line 17, after the word "That," to strike out "hereafter" and insert "after June 30, 1907;" and in line 21, after the word "grade," to insert "of salary;" so as to read:

That after June 30, 1907, any clerk shall be eligible for transfer to the service of a carrier, and any carrier shall be eligible for transfer to the service of a clerk, such transfer to be made to any grade not higher than the corresponding grade of salary, and the time which such clerk or carrier shall have served in the grade from which such transfer was made shall be counted in connection with the service to which such transfer may be made in computing the time of service necessary to entitle such employees to promotion.

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "That," to strike out "hereafter" and insert "after June 30, 1907;" and in line 14, after the word "daily," to insert "and may serve as substitutes;" so as to read:

That after June 30, 1907, auxiliary employees may be employed, to be paid for actual service at the rate of 30 cents an hour: *Provided*, That such employees shall be required to work not less than two hours daily, and may serve as substitutes.

The amendment was agreed to.

The next amendment was, on page 9, line 17, after the word "That," to strike out "hereafter" and insert "after June 30, 1907;" so as to read:

That after June 30, 1907, substitutes may be employed, to be paid at the rate of 30 cents an hour when serving for absent clerks and carriers.

The amendment was agreed to.

The next amendment was, on page 15, after line 24, to insert: Substitutes for clerks and employees absent without pay.

The amendment was agreed to.

The next amendment was, on page 17, line 4, to increase the appropriation for allowance to third-class post-offices, to cover the cost of clerical services, from \$800,000 to \$900,000.

The amendment was agreed to.

The next amendment was, on page 17, after line 16, to insert:

For the commencement of the preparation of plans for a suitable building for a post-office, to be constructed on property now owned by the United States in the city of New York, known as the Pennsylvania Railroad site, and for the construction of the foundations for said building, \$100,000, or so much thereof as may be necessary, to be paid out of any money in the Treasury not otherwise appropriated, and not from or chargeable to the revenues of the postal service: *Provided*, That said plans shall be prepared and the work of constructing the foundations herein authorized shall be performed under the direction of the Secretary of the Treasury.

The amendment was agreed to.

The next amendment was, on page 18, line 20, to increase the appropriation for necessary miscellaneous and incidental items directly connected with first and second class post-offices and money-order service, etc., from \$250,000 to \$265,000.

The amendment was agreed to.

The next amendment was, on page 19, line 9, to increase the appropriation for pay of letter carriers at offices already established, including substitutes for carriers absent without pay, etc., from \$24,100,000 to \$24,450,000.

The amendment was agreed to.



The next amendment was, on page 19, line 18, after the word "dollars," to insert "and the sum of \$5,000 shall be immediately available;" so as to make the clause read:

For horse-hire allowance and the rental of vehicles, \$750,000, and the sum of \$5,000 shall be immediately available.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Second Assistant Postmaster-General," on page 21, line 19, to increase the appropriation for mail bags, cord fasteners, label cases, and labor and material necessary for repairing equipment, etc., from \$425,000 to \$450,000.

The amendment was agreed to.

The next amendment was, on page 23, line 11, before the word "thousand," to strike out "said forty-eight" and insert "five;" so as to make the clause read:

The Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1907, for the transportation of mail on railroad routes carrying their whole length an average weight of mails per day of upward of 5,000 pounds by making the following changes in the present rates per mile per annum for the transportation of mail on such routes, and hereafter the rates on such routes shall be as follows: On routes carrying their whole length an average weight of mail per day of more than 5,000 pounds and less than 48,000 pounds the rate shall be 5 per cent less than the present rates on all weight carried in excess of 5,000 pounds; and on routes carrying their whole length an average weight of mail per day or more than 48,000 pounds the rate shall be 5 per cent less than the present rates on all weight carried in excess of 5,000 pounds up to 48,000 pounds, and for each additional 2,000 pounds in excess of 48,000 at the rate of \$19.24 upon all roads other than land-grant roads, and upon all land-grant roads the rate shall be \$17.10 for each 2,000 pounds carried in excess of 5,000 pounds.

The amendment was agreed to.

The next amendment was, on page 24, line 21, before the word "dollars," to strike out "one thousand eight hundred" and insert "two thousand;" in line 22, before the word "dollars," to strike out "one thousand eight hundred" and insert "two thousand;" in line 23, before the word "hundred," to strike out "six" and insert "eight;" and in line 25, before the word "hundred," to strike out "seven" and insert "eight;" so as to read:

Railway mail service: Eleven division superintendents, at \$3,000 each; eleven assistant division superintendents, at \$2,000 each; five assistant superintendents, at \$2,000 each; nineteen assistant superintendents, at \$1,800 each; 126 chief clerks, at \$1,800 each.

The amendment was agreed to.

The next amendment was, on page 27, line 1, after the word "service," to insert "during the fiscal year ending June 30, 1907, and thereafter;" so as to make the clause read:

Acting or substitute city letter carriers, rural letter carriers, post-office clerks, railway mail clerks, and other employees connected with the postal service who are temporary employees shall be paid at the usual rate for each day's service during the fiscal year ending June 30, 1907, and thereafter.

The amendment was agreed to.

Mr. PILES. I desire to call the attention of the chairman to an amendment to which I presume he will not object.

Mr. PENROSE. If the Senator will offer his amendment after the committee amendments have been considered, I will accept it.

Mr. PILES. Very well.

The next amendment was, in the item of appropriation for transportation of foreign mails, on page 29, line 1, after the word "piers," to insert the following proviso:

And provided further, That the Postmaster-General be authorized to expend not exceeding \$5,000 for payment of indemnity for the loss of registered articles in the international mails, in accordance with the provisions of treaty stipulations.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Third Assistant Postmaster-General," on page 30, line 17, to increase the appropriation for stationery, including all money-order offices, from \$90,000 to \$105,000.

The amendment was agreed to.

The next amendment was, on page 31, line 8, after the word "supplies," to strike out "freight, package, and cartage charges;" so as to make the clause read:

Supplies for city delivery service, including letter boxes, letter-box fasteners, package boxes, posts, furniture, satchels, straps, baskets, time cards, time-card frames, time-recorder supplies, maps, transfer designs, and stencils, \$80,000.

The amendment was agreed to.

The next amendment was, on page 32, line 3, before the word "thousand," to strike out "sixty" and insert "one hundred;" and in the same line, after the word "dollars," to strike out:

Provided, That hereafter purchases of typewriting machines shall be of that make of standard machines offered at the lowest price secured by competitive bids.

So as to make the clause read:

For the purchase or exchange of typewriting machines, envelope-opening machines, and computing machines, and for the purchase of

copying presses, numbering machines, and miscellaneous articles purchased and furnished directly to the postal service, \$100,000.

The amendment was agreed to.

The next amendment was, on page 32, line 14, to increase the appropriation for pay of letter carriers, substitutes for carriers on annual leave, and clerks in charge of substations of rural-delivery service, tolls, and ferriage, from \$32,987,409 to \$34,900,000.

The amendment was agreed to.

The next amendment was, on page 32, line 20, before the word "dollars," to strike out "eight hundred and forty" and insert "nine hundred;" so as to read:

That on and after July 1, 1907, letter carriers of the rural-delivery service shall receive a salary not exceeding \$900 per annum.

The amendment was agreed to.

The next amendment was, on page 33, line 6, before the word "dollars," to strike out "seven hundred and twenty" and insert "eight hundred and forty;" so as to make the proviso read:

And provided further, That in the discretion of the Postmaster-General the pay of any rural carrier on a water route who furnishes his own power boat, and is employed during the summer months, may be fixed at an amount not exceeding \$840 in any one calendar year.

The amendment was agreed to.

The next amendment was, on page 34, after line 22, to insert:

That section 484, Revised Statutes of the United States, be amended by adding thereto the following:

"Provided, That hereafter newspapers and periodicals may carry blank or printed return coupons as part of advertisements, or other blank space for writing concerning the subjects treated, not in excess of one-third of the superficial area occupied by the advertisement or article, without impairing their rights to the second-class rate of postage. No discrimination shall hereafter be made in the inclusion or the exclusion of any publication entered or offered for entry as second-class mail, but the rule of inclusion or exclusion shall be uniform in respect to all publications of the same class or character or relating to the same subject or matter, and all of such publications shall be either included or excluded."

The amendment was agreed to.

The next amendment was, on page 37, after line 9, to insert:

That all accounts of the joint commission of Congress authorized and appointed in pursuance of an act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1907, and for other purposes, shall be paid out on the audit and order of the chairman or acting chairman of said commission, which audit and order shall be conclusive and binding upon all Departments as to the correctness of the accounts of said joint commission.

The amendment was agreed to.

The reading of the bill was concluded.

The VICE-PRESIDENT. The amendment passed over, beginning on page 5, will be stated.

The SECRETARY. The amendment passed over was, on page 5, after line 6, to strike out all down to and including line 2, on page 7, and to insert, on page 7, after line 2, the paragraph from line 3 to line 14, inclusive.

Mr. McCUMBER. I have no objection to that amendment being now agreed to without making any remarks.

Mr. CARTER. The amendment has been read.

The VICE-PRESIDENT. The amendment has been read. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PENROSE. I have two or three amendments of a minor character which I wish to offer on behalf of the Committee on Post-Offices and Post-Roads, altering the phraseology of the bill. I send the amendments to the desk.

The VICE-PRESIDENT. The first amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. On page 32, line 9, after the word "supplies," it is proposed to strike out the words "freight, drayage, and cartage charges;" so as to make the clause read:

Supplies for the rural-delivery service, including collection boxes, furniture, satchels, badges, straps, map supplies, repairing satchels and furniture, repairing, erecting, and painting collection boxes in the rural-delivery service, \$85,000.

The amendment was agreed to.

Mr. PENROSE. I offer another amendment, which I send to the desk, simply altering the phraseology of the bill.

The VICE-PRESIDENT. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. On page 34, after line 22, it is proposed to strike out—

The VICE-PRESIDENT. As the proposed amendment is to an amendment already adopted, it will be necessary to reconsider the vote by which the original amendment was adopted. In the absence of objection, the vote by which the amendment was agreed to will be reconsidered and the amendment will be regarded as open to amendment. The amendment of the Senator from Pennsylvania [Mr. PENROSE] to the amendment will be stated.

The SECRETARY. On page 34, in line 23, it is proposed to

strike out the following words in the amendment heretofore adopted:

That section 484, Revised Statutes of the United States, be amended by adding thereto the following:

And in lieu thereof to insert:

That section 486, Revised Statutes of the United States, as amended by chapter 2, United States Statutes at Large, volume 25, be amended by adding thereto the following:

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. BURNHAM. I offer the amendment which I send to the desk, to come in on page 33, line 6, to strike out the words inserted on the recommendation of the committee, "eight hundred and forty," and to insert "nine hundred."

The VICE-PRESIDENT. The amendment proposed by the Senator is to an amendment reported by the committee, which has been agreed to. It will therefore be necessary to reconsider the vote by which the amendment of the committee was agreed to before the amendment of the Senator will be in order.

Mr. BURNHAM. Then I move to reconsider the vote by which the amendment was adopted.

The motion was agreed to.

The VICE-PRESIDENT. The committee amendment is now open to amendment, and the amendment to the amendment proposed by the Senator from New Hampshire [Mr. BURNHAM] will be stated.

The SECRETARY. On page 33, line 6, it is proposed to strike out "eight hundred" and insert "nine hundred."

Mr. PENROSE. I accept the amendment, Mr. President.

Mr. CLAY. What is the amendment, Mr. President?

Mr. PENROSE. It simply raises the compensation on a special rural carrier route in New Hampshire from \$840 to \$900 a year.

Mr. CLAY. One special route?

Mr. PENROSE. There are six of them altogether in the United States.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. PILES. To come in on page 26, line 12, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 26, after line 12, it is proposed to insert:

That the leave of absence authorized by law to clerks in post-offices shall be construed exclusive of Sundays and holidays.

Mr. PENROSE. That amendment passed the Senate in the last post-office appropriation bill, although it did not stay in the bill in conference. I am willing to accept it for the present.

The amendment was agreed to.

Mr. MCENERY. I offer the amendment which I send to the desk, to be inserted at the proper place in the bill.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to insert:

That the Postmaster-General be, and he is hereby, authorized to create an additional division of the Railway Mail Service, with headquarters at New Orleans, La., and to assign to duty one division superintendent, in addition to those heretofore appointed, and who shall be paid a salary of \$3,000 per annum; and one additional assistant division superintendent, at \$1,800 per annum.

Mr. PENROSE. Mr. President, that amendment was brought up in the committee, but the committee did not have time to fully investigate the merits of the proposition. I am willing to accept it for the present.

The amendment was agreed to.

Mr. STONE. Will the Senator from Pennsylvania tell me how much less the appropriation for this year is than it was last year for carrying the mails on railroads?

Mr. PENROSE. As I understand it, Mr. President, as near as an estimate can be made, the reduction made by this Congress in the compensation to railroads for the transportation of the mails is in the neighborhood of \$4,000,000.

Mr. STONE. Is that appropriation made in a lump sum, or is it made so much for each line? How is it distributed?

Mr. PENROSE. The appropriation is made in accord with the estimates of the Post-Office Department for the fiscal year for which this appropriation was intended. Congress can not distribute the several allotments among the railroads. The Department estimates and Congress appropriates.

Mr. STONE. Perhaps it is my own fault, but I am not much wiser than I was before. I have asked the question because, in the last day or two, I have had a number of telegrams and communications of one kind and another from people living along the Wabash, in Missouri particularly, expressing great fear that a reduction in that pay would very much impair their mail service.

Mr. PENROSE. Well, Mr. President, there has been a great demand for a number of years for a reduction in the compensation of the railroads. Congress for the first time in a generation has made a substantial reduction.

Mr. STONE. Perhaps such a reduction ought to be made, but will the reduction be general?

Mr. PENROSE. It is absolutely horizontal, and in proportion, to every railroad in the country.

Mr. CLAY. I do not think there will be any reduction until there is a reweighing of the mails. My recollection is that the bill provides for a reweighing, and then for a reduction ranging from 5 to 10 per cent. I have the provision before me, which reads as follows:

The Postmaster-General is hereby authorized and directed to readjust the compensation to be paid from and after the 1st day of July, 1907, for the transportation of mail on railroad routes carrying their whole length an average weight of mails per day of upward of 5,000 pounds by making the following changes in the present rates per mile per annum for the transportation of mail on such routes, and hereafter the rates on such routes shall be as follows: On routes carrying their whole length an average weight of mail per day of more than 5,000 pounds and less than 48,000 pounds the rate shall be 5 per cent less than the present rates on all weight carried in excess of 5,000 pounds; and on routes carrying their whole length an average weight of mail per day of more than 48,000 pounds the rate shall be 5 per cent less than the present rates on all weight carried in excess of 5,000 pounds up to 48,000 pounds, and for each additional 2,000 pounds in excess of 48,000 pounds at the rate of \$19.24 upon all roads other than land-grant roads, and upon all land-grant roads the rate shall be \$17.10 for each 2,000 pounds carried in excess of 5,000 pounds.

Mr. McCREARY. From what page is the Senator reading?

Mr. CLAY. Page 22. I thought that the reduction was 5 per cent from 5,000 to 40,000 pounds, and 10 per cent from 40,000 to 80,000 pounds.

Mr. CARTER. The reduction is 5 per cent from 5,000 pounds to 48,000 pounds, and 10 per cent reduction on all over 48,000 pounds. It will be observed, if the tonnage basis is invoked, that after 48,000 pounds the tonnage payment is reduced the equivalent of 10 per cent.

Mr. STONE. What is about the average reduction?

Mr. CARTER. The average reduction is difficult to figure out at this time. There is no reduction under 5,000 pounds daily carried over a given mile. Between 5,000 pounds and 48,000 pounds the reduction is 5 per cent of the present railway pay. All over 48,000 pounds is computed upon a basis of tonnage. The present rate is twenty-one dollars and some cents per ton per mile; the rate allowed by the bill is \$19 per ton, instead of \$21.35; and on the land-grant railroads it is fixed by the bill at seventeen dollars and some odd cents per mile.

Mr. CLAY. I will ask the Senator if he has made any calculation as to about what the reduction will be?

Mr. CARTER. The reduction, according to the Second Assistant Postmaster-General, on the railway mail pay and railway post-office cars will run between four and five million dollars. There is some reduction, it will be perceived, on the railway post-office cars, which added to the reduction made on the tonnage percentage basis here employed, will aggregate \$4,000,000, and perchance more than that on the increased tonnage of the coming year.

Mr. McCREARY. May I ask the Senator a question? If the reduction is four millions, it would mean four millions less than the amount paid last year, would it not?

Mr. CARTER. The aggregate amount will probably be more than was paid out last year; but, if we made the payments upon the basis of last year, we would be paying out \$4,000,000 for the current or coming year's service in excess of what we will pay under this bill.

Mr. McCREARY. Why was it necessary to make the change?

Mr. CARTER. Mr. President, the question of a change in the rates came up in the consideration of the charges for second-class mail matter. The subject of the charge to the publisher and the price we paid for the service seemed so correlated that the one subject could not be very thoroughly considered without giving some consideration to the other.

The Commission, which made the recommendation upon which this reduction is based, carefully considered the testimony taken and the deductions drawn therefrom by what was known as the "Wolcott Commission," which investigated this question of railway-mail pay some years ago. In the first place, the Commission, or some members of it, thought a much greater reduction could be made than that which was finally determined upon. The reduction here recommended is clearly within the limits which Professor Adams—recognized as a very careful and accurate statistician—concluded would be entirely equitable and fair. The reduction is made upon the theory that by virtue of the vast increase of the business of the railroads in carrying the mails, they will be as adequately compensated, with this reduction considered, as they were when in 1873 the present



basis was determined upon. The basis was somewhat changed in 1876 and 1877.

At the time the present basis of payment was prescribed by law, the maximum tonnage per mile per year over any given road was about 16 tons. At the present time one road carries over 244 tons per mile per year over a given piece of track. The Commission concluded that some reduction ought to be made in view of the economy necessarily involved in the increase of tonnage; but in the consideration of the matter we found other factors of great importance.

The startling fact was disclosed that the average weight of the mail carried in a railway postal car is only about 2 tons, whereas from 20 to 30 tons of dead matter is carried along with the 2 or 2½ tons of mail. It is believed, however, that this reduction, notwithstanding that low tonnage, can be tolerated by the roads because of the possibility of using upon the main trunk lines storage cars to a greater extent than heretofore, so as to increase the amount of tons carried upon a given car. If the tonnage could be increased to 6 tons per car, the roads could carry the mail at even a lower rate than this bill contemplates; but under the present arrangement it is found difficult for the Post-Office Department to adequately load cars.

Mr. LA FOLLETTE. I offer the amendment which I send to the desk, to come in at the end of line 17, page 24.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 24, line 17, after the word "dollars," it is proposed to insert:

*Provided, That no part of this appropriation shall be available after January 1, 1908, for any postal car that has not been equipped for electric lighting, and which shall not thereafter be lighted with electric light.*

Mr. PENROSE. I shall have to raise the point of order that that is amenable to the rule, it being legislation not having been considered by a committee.

The VICE-PRESIDENT. What is the point of order?

Mr. PENROSE. The point of order is that the amendment contains general legislation and is open to objection under the rules.

Mr. LA FOLLETTE. Mr. President, I do not believe that the proposed amendment will be found to be obnoxious to the rule upon a careful reading. It is simply a qualification or limitation of the appropriation.

Mr. PENROSE. Mr. President, the amendment is in the nature of general legislation, it has not been estimated for, and has not been considered by any standing or select committee of the Senate.

Mr. LA FOLLETTE. It does not require any estimate or any appropriation to meet it.

Mr. CARTER. Mr. President, I assume that the nature of the amendment shows how obnoxious it clearly is to the rule. The amendment provides, in short, that unless a given car is supplied after a specified date with electric lights it shall not be used to carry the mails, unless it becomes a gratuity.

I have no doubt of the desirability of requiring that all the railway post-office cars shall be provided with electrical appliances; but it is not clear that the appliances are used so generally upon the roads, or are likely to be used so generally upon the roads, as to make this a workable provision.

The Senator might suggest that, of course, on each car an installation could be made, but the railroads are not compelled to carry the mails. They carry the mails under contract, and we might by virtue of an amendment of this kind drive the railway post-office cars off a certain line of railway, thus crippling the service in a given direction, and doing it very thoughtlessly. If it is possible to effectively require the lighting of cars with electricity, I understand that great benefit would follow in diminishing the chance of fire or destruction of the mails in case of disaster upon the line of road, and it would be infinitely better and more secure for the postal employees; but it is impracticable to tell here upon the floor whether the amendment fixing an arbitrary date upon which all cars not lighted by electricity shall cease to be used will not seriously cripple the service.

Hence it is, Mr. President, we see the wisdom of the rule which requires that matters shall be first considered by either a standing or select committee of this body. About the first thing a standing committee of the Senate would have done in connection with this amendment would have been to refer it to the proper officer of the Post-Office Department for the purpose of ascertaining whether conditions were such that the adoption of the amendment would seriously cripple the service, because, after all, the effectiveness and continuity of the service are matters of very clear and prime importance.

Mr. SPOONER. Has the amendment been referred to a committee?

Mr. CARTER. It never has been referred to any committee and never has been considered by a committee, nor referred to any Department, nor is there any report upon it of any kind.

Mr. CARTER subsequently said: I rise to a question of personal privilege.

The VICE-PRESIDENT. The Senator from Montana.

Mr. CARTER. Mr. President, during the debate on the post-office appropriation bill I stated that the amendment presented by the Senator from Wisconsin [Mr. LA FOLLETTE], relating to the lighting of post-office cars by electricity, had not been submitted to any committee, nor had it been reported upon by any Department of the Government. Since that statement was made I find that Senate resolution No. 79, embodying the proposition presented by the Senator from Wisconsin, was actually referred to the Post-Office Department, and upon that reference a report from the Postmaster-General was obtained.

I ask that the report of the Postmaster-General be incorporated in the RECORD, to the end that the statement made by me may be corrected and the views of the Post-Office Department set forth on that subject.

The VICE-PRESIDENT. Without objection, permission is granted.

The report is as follows:

OFFICE OF THE POSTMASTER-GENERAL,  
Washington, D. C., January 2, 1907.

Hon. BOIES PENROSE,  
Chairman Committee on Post-Offices and Post Roads,  
United States Senate.

SIR: I have the honor to acknowledge receipt of your letter of the 14th ultimo, inclosing copy of S. R. No. 79, which authorizes and directs the Postmaster-General to require railroad companies carrying the United States mails, within one year from date of the approval of the resolution and thereafter, to furnish electrically lighted cars for the transportation of the United States mails, and in which railway postal clerks are employed and carried.

In reply to your request for my opinion regarding its merits, I have to say that while a great many of the railroads are experimenting with electricity as a method of lighting their best passenger cars, and the Department not only claims the authority under existing law to require the very best lighting for its mail cars in which clerks are employed, but will continue to exercise that authority to the extent of requiring post-office cars built in every particular according to specifications furnished by the Department to be lighted by electricity whenever it proves a reliable light, it must nevertheless be said that the lighting of passenger and mail cars by electricity has not reached that stage of perfection which makes it an adequate light under all conditions.

The mandatory requirement to furnish only electricity would be impracticable in the case of many railroads and unsatisfactory to the service in the case of many other roads.

The strongest and steadiest light that can be obtained is demanded for postal cars. Night work would be performed at great risk to the eye, and at the further risk of retarding the separation of mails, if no better light could be produced than that now furnished to passenger cars by some of the electric-light systems. The Department has for several years endeavored to follow closely all experimental tests of electric lighting for cars, with a view to requiring that form of lighting whenever and wherever it proves entirely satisfactory.

The Department realizes fully the exceptional character of the work performed by railway postal clerks, and is seeking by every possible means to improve the conditions surrounding their employment.

It seems unnecessary, therefore, to have further legislative action on the subject of the proposed joint resolution, as the present powers of the Department are considered to be ample to require of railroad companies a satisfactory light.

Very respectfully,

GEO. B. CORTELYOU,  
Postmaster-General.

Mr. CULBERSON. I ask that the amendment may again be read.

The VICE-PRESIDENT. The Secretary will again state the amendment.

The Secretary read as follows:

*Provided, That no part of this appropriation shall be available after January 1, 1908, for any postal car that has not been equipped for electric lighting, and which shall not thereafter be lighted with electric light.*

Mr. LA FOLLETTE. Mr. President, it will be observed from a reading of the amendment that the Senator from Montana is mistaken about it. The amendment does not prohibit the use of any car not equipped for electric lighting. It simply withholds the appropriation from such cars as do not, after a stated time, use electricity for lighting purposes.

Mr. CARTER. I will say to the Senator that I was not mistaken in that. I said that the amendment would, in effect, prohibit the use of such cars unless they were gratuitously used.

Mr. LA FOLLETTE. It is not at all possible that the railroad companies would relinquish their fat pay for carrying the mail because they were required to equip their cars with electricity. That they are enormously overpaid is well understood by everyone who has given any study whatever to this subject. It is true that the bill offered by the committee makes a small reduction in the extravagant pay which the railroads receive for carrying the mails. But the proposed cut is very small, indeed. There is no danger, Mr. President, that any company will take any of their cars out of service because required to incur the small expense incident to providing electric light for

each mail car as required by the amendment which I have offered.

This amendment, sir, is a proposition that is not new. It has been considered by the committees which have had charge of this subject from time to time. At least I am certain that propositions of this sort have been introduced and referred to such committees. I know that a joint resolution was offered by myself early in the session and referred to the Committee on Post-Offices and Post-Roads. I know that the Committee on Post-Offices and Post-Roads of another coordinate branch of the legislative department has had under consideration a like measure.

There is not a line of road in the United States where a month goes by that mail is not burned and sometimes life sacrificed because the cars are lighted with oil or some other like material rather than electricity.

The men in this service are hard worked and poorly paid. They are in positions of the greatest peril. The mail car is in the place of special danger in every train. This service, which must be very hazardous at best, is entitled to have every reasonable thing done for it which will in any degree reduce that hazard. The railway mail clerks ought not to have added to the chance of wrecking the awful peril of fire, which is almost certain to follow a wreck where the mail cars are lighted with oil lamps.

Mr. President, I am confident that the amendment is not subject to a point of order.

Mr. PENROSE. I confess that this appropriation bill reached the Committee on Post-Offices and Post-Roads so late in the session that it was impossible to consider all the propositions before the committee. This was among those that the committee did not have time to sufficiently look into.

I withdraw my point of order and accept the amendment for the time being, and to give me an opportunity of conferring with the Department and ascertaining the practicability of carrying out this very excellent project within the time required by the amendment of the Senator from Wisconsin.

Mr. CLAY. Mr. President, I take it for granted that when the chairman of the committee accepts the amendment it will be the duty of the conferees on the part of the Senate to insist in a reasonable way that it shall remain in the bill and become the law.

Mr. LA FOLLETTE. I can not doubt that good faith will be observed.

Mr. CLAY. Would it not be better to provide a longer time, giving the roads more time in which to equip the cars with electric lighting appliances? Can they do it within twelve months?

I doubt very materially if in twelve months it can be accomplished. Would it not be better to give a longer period of time, say, two years, or even three years, for the purpose of completing it? I doubt very much whether all the roads carrying the mails can equip their cars in that length of time. The Senator may have investigated the subject and knows more than I do in regard to it. We ought to give at least a reasonable length of time, and I doubt if it can be done in twelve months.

Mr. LA FOLLETTE. I agree with the Senator from Georgia that ample time should be given the railroad companies to equip their mail cars with electrical appliances and light them within a year. I believe that this can readily be done from such investigations as I have made, such expert knowledge as I have been able to get upon the subject. But if the Senator has information to the contrary and wishes to offer an amendment or suggestion respecting that, I shall be ready to consider it.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Wisconsin.

The amendment was agreed to.

Mr. CLAY. Mr. President, a bill carrying \$210,000,000 ought to be considered by the Committee on Post-Offices and Post-Roads more than one day before it is reported to the Senate. The Senate Committee on Post-Offices and Post-Roads had this bill only one day, and had but about six hours to devote to it. It was not our fault. This bill ought to have been considered for a week or ten days by the Committee on Post-Offices and Post-Roads. It reached the Senate only two or three days ago. Consequently the committee has not had the time necessary to carefully consider a measure carrying \$210,000,000. It demonstrates that an appropriation bill of this magnitude ought to reach the Senate at least more than two or three or four days before the time for adjournment.

This measure was considered for a few hours. We could not help it. We did not have the time to devote to it, and the public

interest demands that a measure of this kind shall be considered more than a few hours.

Mr. CULBERSON. Mr. President, it is not improper, I think, to add to what the Senator from Georgia has said that the report of the committee in favor of the bill has not yet been submitted to the Senate, or at least has not yet been printed, so that it can be examined.

Mr. PENROSE. As long as I have been on this committee—nearly ten years—I have never known of a written report to accompany the bill.

As far as I am concerned as chairman of the Committee on Post-Offices and Post-Roads, the matter has not been hastily considered. I have been for months in touch with the hearings in the House and later on with the progress of the debate upon the bill in the House of Representatives. Few important alterations have been made by the Senate Committee on Post-Offices and Post-Roads. I think the hundred thousand dollars for the site of the post-office in New York City, a unique proposition, in respect to which the committee was unanimous, a slight alteration in the schedule of increases relative to clerks and carriers, strongly recommended by the Department and already acted upon by the Senate when it passed the Crane bill, are about the only substantial alterations in the bill from the form in which it passed the House of Representatives. While the time has been short, and I regret that many of the appropriation bills, notably the river and harbor bill, came over so late to this body that it could not be considered in all the details that were perhaps desirable, I do not think that the very few alterations made in this bill would have required any extended deliberation by the Senate Committee on Post-Offices and Post-Roads.

The railroad pay has been cut down from an estimate of \$47,600,000 to \$44,600,000, a very slight increase over last year, owing to the enormous growth of the service and a practical reduction after an agitation of many years.

Mr. CLAY. It is true, Mr. President, that only a very few changes have been made in this bill. It is true, however, that the Senate committee has not had the time to consider the items passed by the House. I do not question what the chairman said, that he has given attention to this bill as it progressed in the House, but I simply desired to call the attention of the Senate to the fact that the House has passed this bill only a few days before we are to adjourn, and that the members of the Senate committee has not had the time to consider the items that had passed the House.

Mr. PENROSE. I take a little pride, as chairman of the committee, in stating that there is not a personal claim or a provision of an individual character in this bill, such as frequently encumber appropriation bills. Every paragraph in it relates to current expenses in a great business Department of the Government. I do not recall a single item of appropriation in this bill that is above the estimate of the Department, and in a great majority of the cases there is a considerable reduction below the estimates of the Department. Whether anything would have been gained by spending several weeks in a tedious consideration of propositions purely routine in character, speaking for themselves upon the simplest inspection of the reports of the Department, I do not know.

Mr. FORAKER. I should like to ask the Senator in charge of the bill what provision there is, if any, in the bill for the pneumatic-tube service?

Mr. PENROSE. The provisions concerning pneumatic-tube service are to defray the expenses of contracts already in existence and in course of execution.

Mr. FORAKER. Where can I find that provision? I do not find it at all. I beg the Senator's pardon, but I have been necessarily absent from the Chamber on other duty, and I am not familiar with the bill.

Mr. PENROSE. The Senate committee made no alteration in the House provision, which is found on page 21, line 11:

For the transmission of mail by pneumatic tube or other similar devices, \$1,250,000.

Mr. FORAKER. I offer an amendment to the bill, to be inserted at the end of line 13, page 21.

The VICE-PRESIDENT. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. After the word "dollars," on page 21, line 13, strike out the period and insert a semicolon and the following words:

And the Postmaster-General is hereby authorized to enter into contracts not exceeding in the aggregate \$1,388,750 under the provisions of the law for a period not exceeding ten years: *Provided*, That said service shall not be extended in any cities other than those in which the service is now under contract under authority of Congress, except the borough of Brooklyn, the city of New York, and the cities of Baltimore, Md.; Cincinnati, Ohio; Kansas City, Mo.; Pittsburgh, Pa., and San Francisco, Cal.



Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Pennsylvania yield to the Senator from Ohio?

Mr. PENROSE. I was going to say to the Senator that I will accept his amendment.

Mr. FORAKER. That is entirely satisfactory.

Mr. CLAY. I think we ought to have a vote on the amendment.

Mr. CULBERSON. Is the amendment in order?

Mr. CLAY. I make the point of order that it is not in order, that it proposes general legislation. I think the Senator will find, if he will examine the report of the Postmaster-General, that he has said in his report to Congress that no bids have been received for this work, and he has made no recommendations for it.

Mr. LODGE. On the point of order I think there can be no doubt that the amendment is in order because it is simply a repetition of existing law.

Mr. FORAKER. In exact language.

Mr. LODGE. In exact language.

Mr. FORAKER. If the Postmaster-General has received no bids and made no contracts, it is not our fault.

Mr. PENROSE. I ought to state that this matter was not very strongly pressed before the committee, and the committee was informed that the Post-Office Department had not been able to secure any bids in the cities referred to in the amendment, and that this paragraph, which was in the last appropriation act, had not been taken advantage of in those cities. The suffering does not appear to be acute in those communities, or there would doubtless have been a greater uprising in favor of this amendment.

Mr. FORAKER. There is a good deal of uprising in these cities in favor of the amendment, but the gentlemen who seem to have a monopoly of putting in pneumatic-tube service do not seem to be ready yet to proceed at Cincinnati and these other cities; and if we can invest the Post-Office authorities with power to proceed in the matter if these gentlemen do not want to do it we will find somebody who will put in pneumatic-tube service.

Mr. CLAY. I wish to call the Senator's attention to the fact that the Postmaster-General says he has been unable to receive any bids for this work, and he recommends that the Government put in the tubes and perform the work. The Postmaster-General deals with the question at length in his report, and contends that the Government ought to do the work, and intimates that it will be impossible to have it done otherwise.

Mr. FORAKER. That may prove to be the case, but I should like the Postmaster-General to be authorized again, as he was by the last legislation on the subject, and we can meet the proposition suggested by him later if that be necessary. If there is nobody willing to come forward and do the work, we will then probably ask the Government to do the work, but we want this pneumatic-tube service.

The VICE-PRESIDENT. Does the Senator from Georgia insist upon his point of order?

Mr. CLAY. I desire to read what the Postmaster-General says about the merits of this proposition:

Pneumatic-tube mail service has heretofore been in operation in the cities of Boston, New York, Philadelphia, Chicago, and St. Louis. The contracts in effect June 30, 1906, contemplated approximately 51 miles of double lines of tubes to be placed in operation, but on that date only about 28 miles of tube lines were in actual operation, at an annual rate of expenditure of \$445,563.84.

The appropriation act for the current year authorized the extension of this class of service to the borough of Brooklyn and the cities of Baltimore, Cincinnati, Kansas City, Pittsburgh, and San Francisco, and provided also that contracts could be made for a period not exceeding ten years (instead of four, as heretofore) and for an amount aggregating an annual rate of \$1,250,000. On July 27, 1906, an advertisement was issued inviting proposals for the performance of this class of service in the cities where it has heretofore been performed, with some extensions, and also in the additional cities named. Proposals were received for service in Boston, Brooklyn, New York, Philadelphia, Chicago, and St. Louis. The aggregate of the bids received for these cities was greater than could be allowed, having in mind the service contemplated for those cities for which no bids were received and the limitation as to expenditure fixed by the appropriation act. Conferences were therefore had with the bidders, resulting in some reduction in the amounts of the proposals, and contracts were finally awarded for service as follows.

Now he goes on to say:

In my report of last year reference was made to the inauguration of pneumatic-tube service in 1893 and the subsequent extensions thereof; also to the work of an expert commission composed of business men and civil engineers of national reputation, appointed in 1900 by authority of Congress, which commission reached the conclusion that ultimately governmental control of pneumatic-tube systems for transmitting the mails would be found essential to a satisfactory administration, and I stated reasons which led me to make the recommendations that legislative authority be granted to make contracts for ten-year terms and that there be inserted in every future contract an option of purchase by the Government.

I do not care to consume the time of the Senate in further reading from the report, but you will find that the Postmaster-General is of opinion that the parties who desire the contract with the Government for the purpose of performing this work want at the hands of the Government an extravagant price. They are trying to hold up the Government, and the Postmaster-General has recommended that hereafter the Government undertake to perform this work. These new companies declined to bid in accordance with the terms fixed by the Government, and the Postmaster-General could not receive any bids for the work at the price fixed by the Government, which, in my opinion, was an extravagant price. And what was the result? These companies thought they could come to Congress and secure more money for this work, and the Postmaster-General undertook to meet them and to say, "If you do not accept the price fixed by Congress, the Government will undertake to do this service itself."

I do not hesitate to say that in my opinion we are paying more for the service than we ought to pay, and that under no circumstances ought Congress to increase the amount per mile. The Postmaster-General clearly intended to convey the idea that he desired the Congress to say that the Government should undertake the service. Probably he thought it would bring these parties to reasonable contracts.

Mr. President, if the companies have failed to comply with the law and send in bids which the Government could accept under the previous acts of Congress and we come forward again and appropriate, it is an encouragement to those parties to receive at the hands of the Government extraordinary prices for this work. I do not believe that the amendment ought to be adopted.

Mr. SPOONER. Does the Senator mean to say that the Postmaster-General intimates that the companies are trying to hold up the Government?

Mr. CLAY. I can not go that far. He does not say that in exact language. But the Postmaster-General had a commission examine the cost of this work, and he recommended that Congress allow so much money per mile. I believe it was \$17,000 a mile. At the last session of Congress we appropriated so much money and provided for the extension of the service in the cities named. The Government advertised for bids, and no bids were received, and then the Postmaster-General comes back and recommends that the Government take under consideration the question of doing the work itself.

Mr. SPOONER. Will the Senator allow me to inquire of him, as I am quite unfamiliar with the subject—

Mr. CLAY. Certainly.

Mr. SPOONER. Are these pneumatic tubes protected by patents?

Mr. CLAY. I think some of them are and some are not, probably.

Mr. SPOONER. Might it not be a wise thing to put it in the alternative and allow the Postmaster-General to make contracts with these companies, or if he can not do it at a reasonable price, if the field is open that the Government should put them in?

Mr. CLAY. That would be preferable beyond any question.

Mr. FORAKER. I would have no objection to that, except only I would rather have the amendment stand in the form in which it is, because in this form it is not subject to a point of order.

Mr. KEAN. It is a copy of the existing law?

Mr. FORAKER. It is a copy of the existing law. If the Postmaster-General can not get bids we simply do not get our pneumatic service, and next year we will have to try again.

Mr. PENROSE. This identical provision was in the last bill.

Mr. SPOONER. And it has been unproductive of results?

Mr. PENROSE. Unproductive of results.

Mr. SPOONER. Will it not go on being unproductive of results?

Mr. PENROSE. The committee did not desire to go on with unproductive results; but the Senator from Ohio desires to make another trial.

Mr. FORAKER. I did not want to try to incorporate in the bill an entirely new provision which might be subject to a point of order. Learning of the trouble only quite recently, having time to do nothing else really than what I have done, I thought I would like to have the same provision repeated in the hope that the Postmaster-General may be successful in getting bids and starting this work. If at the end of the year nothing has been done, we certainly will try in some other way to get the benefit of this service.

Mr. SPOONER. I hardly think it would be subject to a point of order. We had some experience in regard to armor plate. The Government could not get bids at a reasonable price, and we provided in connection with an appropriation for armor

plate, if acceptable bids were not made, for the construction of an armor-plate plant, and we received bids which were acceptable. I would a great deal rather that private interests should do this business than have the Government undertake to do it.

Mr. FORAKER. I do not know who does this business; I do not know anything about the people who are to put in the pneumatic-tube service; I never heard their names mentioned, but I have no objection to that kind of a provision being incorporated if the Senate will accept it. I only want to escape the dangers of a point of order; that is all.

Mr. SPOONER. I should think, if the proper sum was appropriated and there was connected with it the power in the Government itself to provide these facilities if they could not be procured otherwise, it would bring about the desired result.

Mr. FORAKER. We would have to appropriate a sum that is not estimated for if we were to make two propositions.

Mr. SPOONER. It would be out of order, I suppose.

Mr. FORAKER. I think it had better go this time as it is, and we shall do the best we can with it, and next year we will try to get it in a shape where it will work, if it does not work now.

Mr. CLAY. Mr. President, I am very much against this amendment, but after looking at the law providing for these contracts I am not prepared to say that the point of order could be sustained. I believe that the amendment ought to be defeated, to say the least of it. The amendment has never been referred to the Committee on Post-Offices and Post-Roads. We have never had a minute to look into it. We might have called before us the Postmaster-General and asked him some questions relating to it if it had been referred to us.

Mr. FORAKER. Mr. President—

The VICE-PRESIDENT. Does the Senator from Georgia yield to the Senator from Ohio?

Mr. CLAY. Certainly.

Mr. FORAKER. It is my recollection that the Senate very carefully considered this matter a year ago; and it is my recollection that the Senator from Georgia aided us in arriving at a conclusion that was agreed to, as it was finally adopted.

Mr. CLAY. I think the Senator from Ohio is mistaken.

Mr. FORAKER. That is my recollection. I think the Senator at first was opposed to it, but finally agreed to the amendment in the form in which it was adopted and became a law. All I ask is that we may repeat in this law what was placed in the law last year, but without any results.

Mr. CLAY. I will say to the Senator that we have allowed the Post-Office Department the exact dollars that the Department asked—

Mr. FORAKER. Mr. President—

Mr. CLAY. On moment. We allowed the Post-Office Department every dollar that the Department asked for the purpose of putting in these tubes in the cities named. We allowed the Department \$17,000 per mile; and the Department reports back that private parties will not do it for that amount and that that is a reasonable sum for such work.

Mr. FORAKER. Right there, what I wish to ask the Senator is, if it can not be done, what harm is done?

Mr. WARNER. You do not increase the appropriation?

Mr. FORAKER. We do not increase the appropriation. We do not cost anybody anything. It simply gives us an opportunity to get during the coming year possibly what we thought we were securing last year.

Mr. CLAY. I have great doubts, I will say to the Senator, whether the pneumatic-tube service has been satisfactory in any instance. In fact I do not believe, from the report of the Postmaster-General, it has been satisfactory. To a large extent it has been a failure, and I judge, from reading the report of the Postmaster-General, that the time is not far distant when the entire service will be done away with. If you take the report of the Postmaster-General and read it, you will find that even in those cities that have the service it has not been satisfactory to the Government, and there has been no pressure upon the part of the Postmaster-General during the present session of Congress to insist upon a further extension of the service.

I do not desire to take up the time of the Senate further.

Mr. CULBERSON. Mr. President, I do not rise to this particular amendment, but merely to say, in addition to what the Senator from Georgia [Mr. CLAY] said and what I said a moment ago about the lack of time for considering the bill, that the report of the committee in its favor has not yet been printed so that Senators can examine it.

In saying that there was no purpose on my part, of course, to criticize the chairman of the Committee on Post-Offices and Post-Roads, or the committee of which I happen to be a member,

but solely to emphasize a condition in the Senate which ought not to exist and for which the Senate itself is not responsible. The chairman of the committee [Mr. PENROSE], however, suggested that it was not customary and it had not been the practice to make written reports to accompany this bill in the Senate. Not being able to attend the meeting of the committee for the few hours it considered the bill on account of another official engagement, I endeavored this morning to secure the report in its favor, to examine it with the limited time remaining for its consideration. I noticed on the Calendar of the Senate, on page 35, that there had been a report made in favor of the bill by the chairman of the committee, the report being numbered 7276. I have sent twice to-day to the document room for a copy of this report, and each time I have been informed that the report has not yet been received from the Public Printer. I take it from this publication in the Calendar that the report, in fact, has been made and that it has not yet been received from the Public Printer to be examined by the Senate. It is a matter, Mr. President, essential, it is true, to a consideration here, but I want it understood that I was not speaking idly when I said the report had been prepared and there had not yet been time for its printing and submission to the Senate.

The VICE-PRESIDENT. Does the Senator from Georgia insist upon his point of order?

Mr. CLAY. I do not.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. FORAKER].

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. LA FOLLETTE. Mr. President, I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 22, line 13, after the word "dollars," insert:

*Provided*, That no part of this sum shall be expended in payment for transportation of the mails by railroad routes where the average weight of mails per day has been computed by the use of a divisor less than the whole number of days such mails have been weighed.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### AGRICULTURAL BANK IN THE PHILIPPINE ISLANDS.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (S. 6249) to provide for the establishment of an agricultural bank in the Philippine Islands.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed its consideration.

The VICE-PRESIDENT. The bill has been heretofore read and the amendments of the Committee on the Philippines agreed to. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. McCREARY]. The Senator from Massachusetts [Mr. LODGE] has moved to lay the amendment upon the table, and the question is upon that motion.

Mr. McCREARY. As that amendment is the same as a bill which has passed the House, I think we should have a quorum present. I make the point that no quorum is present.

The VICE-PRESIDENT. The Senator from Kentucky suggests the absence of a quorum. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allee	Dick	Lodge	Proctor
Ankeny	Elkins	Long	Rayner
Bacon	Flint	McCreary	Scott
Berry	Foraker	McCumber	Simmons
Blackburn	Frazier	McEmery	Smith
Bulkeley	Frye	Mallory	Smoot
Burnham	Fulton	Millard	Spooner
Burrows	Gamble	Nelson	Stone
Carter	Hansbrough	Newlands	Tallaferro
Clark, Wyo.	Heyburn	Nixon	Warner
Clay	Kean	Overman	Warren
Crane	Kittredge	Penrose	Whyte
Culbertson	Knox	Perkins	
Curtis	La Follette	Pettus	
Depew	Latimer	Piles	

The VICE-PRESIDENT. Fifty-seven Senators have answered to their names. A quorum being present, the question is on the motion of the Senator from Massachusetts to lay on the table the amendment of the Senator from Kentucky.

Mr. McCREARY. I ask that the amendment be read.

The VICE-PRESIDENT. The amendment will be read at the request of the Senator from Kentucky.

The SECRETARY. It is proposed to add at the end of the bill the following:

SEC. 4. That on and after the passage of this act there shall be levied, collected, and paid upon all articles coming into the United



States from the Philippine Islands the rates of duty which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles wholly the growth and product of the Philippine Islands coming into the United States from the Philippine Islands shall hereafter be admitted free of duty, except sugar, tobacco, and rice, manufactured and unmanufactured, upon which there shall be levied, collected, and paid only 25 per cent of the rates of duty aforesaid: *Provided further*, That the rates of duty which are required hereby to be levied, collected, and paid upon products of the Philippine Islands coming into the United States shall be less any duty or taxes levied, collected, and paid thereon upon the shipment thereof from the Philippine Islands, as provided by law, under such rules and regulations as the Secretary of the Treasury may prescribe; but all articles wholly the growth and product of the Philippine Islands admitted into the ports of the United States free of duty under the provisions of this act, and coming directly from said islands to the United States for use and consumption therein, shall be hereafter exempt from any export duties imposed in the Philippine Islands: *Provided, however*, That in consideration of the rates of duty aforesaid, sugar and tobacco, both manufactured and unmanufactured, wholly the growth and product of the United States, shall be admitted to the Philippine Islands from the United States free of duty: *Provided further*, That on and after the 11th day of April, 1909, all articles and merchandise going from the United States into the Philippine Islands, and all articles wholly the growth and product of the Philippine Islands coming into the United States from the Philippine Islands, shall be admitted free of duty: *Provided further*, That in addition to said duty when levied, and in case said articles are admitted into the United States free of duty, there shall be paid upon articles of merchandise of Philippine Islands manufacture coming into the United States, and withdrawn for consumption or sale, a tax equal to the internal-revenue tax imposed in the United States upon the like articles of merchandise of domestic manufacture, such tax to be paid by internal-revenue stamp or stamps to be provided by the Commissioner of Internal Revenue, and to be procured by purchase from the collector of internal revenue at or most convenient to the port of entry of said merchandise in the United States, and to be affixed under such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe; and such articles of Philippine Islands manufacture mentioned in this proviso shall be exempt from payment of any tax imposed by the internal-revenue laws of the Philippine Islands: *Provided further*, That in addition to the duty hereinbefore provided when levied, and in case said articles are admitted into the Philippine Islands free of duty, there shall be paid upon articles of merchandise manufactured in the United States and going into the Philippine Islands, and withdrawn for consumption or sale, a tax equal to the internal-revenue tax imposed in the Philippine Islands upon the like articles of merchandise when manufactured in the Philippine Islands, such tax to be paid by internal-revenue stamps, or otherwise, as provided by the laws in force in the Philippine Islands upon the like articles; and such articles manufactured in the United States mentioned in this proviso and going into the Philippine Islands shall be exempt from payment of any tax imposed by the internal-revenue laws of the United States. All the moneys collected under this section shall, until the 11th day of April, 1909, be paid over and disposed of as provided in section 4 of an act temporarily to provide revenue for the Philippine Islands, and for other purposes, approved March 8, 1902, and shall not be covered into the Treasury of the United States.

Sec. 5. That on and after the day when this act shall go into effect all goods, wares, and merchandise previously imported from the Philippine Islands, for which no entry has been made, and all goods, wares, and merchandise previously entered without payment of duty and under bond for warehousing, transportation, or any other purpose, for which no permit of delivery to the importer or his agent has been issued, shall be subjected to the duties imposed by law prior to the passage of this act, and to no other duty, upon the entry or the withdrawal thereof: *Provided*, That when duties are based upon the weight of merchandise deposited in any public or private bonded warehouse said duties shall be levied and collected upon the weight of such merchandise at the time of its entry.

The VICE-PRESIDENT. The question is on agreeing to the motion of the Senator from Massachusetts to lay on the table the amendment proposed by the Senator from Kentucky.

Mr. McCREARY. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. HANSBROUGH (when his name was called). I have a pair with the senior Senator from Virginia [Mr. DANIEL]. I transfer that pair to the Senator from Rhode Island [Mr. ALDRICH], and vote. I vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. I will transfer that pair to the junior Senator from Delaware [Mr. DU PONT], and vote. I vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP].

Mr. SPOONER (when his name was called). I have a general pair with the Senator from Tennessee [Mr. CARMACK], who is absent. I transfer that pair to the Senator from New York [Mr. PLATT], and vote. I vote "yea."

Mr. TILLMAN (when his name was called). I have a general pair with the junior Senator from Vermont [Mr. DILLINGHAM]. As that Senator is absent, I shall have to withhold my vote.

Mr. WARREN (when his name was called). I will ask if the Senator from Mississippi [Mr. MONEY] has voted?

The VICE-PRESIDENT. He has not voted.

Mr. WARREN. I wish to announce that I have a general pair with that Senator, and I withhold my vote.

The roll call was concluded.

Mr. CULLOM. I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the junior

Senator from New Jersey [Mr. DRYDEN], and vote. I vote "yea."

Mr. HALE. I wish to announce that the Senator from Iowa [Mr. ALLISON] is paired with the Senator from Alabama [Mr. MORGAN].

Mr. SCOTT. I wish to announce that my colleague [Mr. ELKINS] is paired with the Senator from Texas [Mr. BAILEY].

Mr. KITTREDGE. I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. I suggest to the senior Senator from South Carolina [Mr. TILLMAN] to transfer his pair with the junior Senator from Vermont [Mr. DILLINGHAM] to the Senator from Colorado [Mr. PATTERSON], so that we may both vote.

Mr. TILLMAN. That is entirely agreeable.

Mr. KITTREDGE. As the Senator from Vermont [Mr. DILLINGHAM] and the Senator from Colorado [Mr. PATTERSON] will stand paired on this question, I vote "yea."

Mr. TILLMAN. I vote "nay."

The result was announced—yeas 47, nays 11, as follows:

## YEAS—47.

Allee	Dick	Knox	Perkins
Ankeny	Flint	La Follette	Piles
Bulkeley	Foraker	Lodge	Proctor
Burkett	Frye	Long	Scott
Burnham	Fulton	McCumber	Smith
Burrows	Gallinger	McEnery	Smoot
Carter	Gamble	Mallory	Spooner
Clark, Wyo.	Hale	Millard	Stone
Crane	Hansbrough	Newlands	Sutherland
Cullom	Heyburn	Nixon	Warner
Curtis	Kean	Overman	Wetmore
Depew	Kittredge	Penrose	

## NAYS—11.

Bacon	Frazier	McLaurin	Tillman
Berry	Latimer	Pettus	Whyte
Blackburn	McCreary	Rayner	

## NOT VOTING—32.

Aldrich	Clarke, Ark.	Du Pont	Mulkey
Allison	Clay	Elkins	Nelson
Bailey	Culberson	Foster	Patterson
Beveridge	Daniel	Hemenway	Platt
Brandeggee	Dillingham	Hopkins	Simmons
Carmack	Dolliver	Martin	Taliaferro
Clapp	Dryden	Money	Teller
Clark, Mont.	Dubois	Morgan	Warren

So Mr. McCREARY's amendment was laid on the table.

Mr. CULBERSON. I offer the amendment which I send to the desk.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

Mr. CULBERSON. Before that amendment is read, Mr. President, and especially before a motion to lay it on the table is made, I want to say to the Senate that there is no law now in the Philippine Islands reserving a homestead or any part of a homestead to the head of a family. There is no provision in this bill, which authorizes a corporation to loan money on land, for a homestead exemption from forced sale for debt, and the purpose of this amendment is to require such exemption in order that the homes of the people may not be taken for debt and to preserve them to the people of the country instead of their going into the hands of this corporation.

I ask that the amendment may now be read.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. On page 2, after line 16, it is proposed to insert the following paragraph:

Fifth. Said act of the Philippine government shall contain an express provision exempting from forced sale for debt, except the purchase price or any part thereof, at least 2 acres of land used as a homestead by the owner, and the houses occupied thereon as homes.

Mr. LODGE. Mr. President, this amendment was considered in the committee, and it appeared to the committee so plain that if a limitation of this character were put on, which exists only in certain States of the Union, in view of the very small holdings there, it would be practically impossible for the very people to borrow money who it is desired shall obtain it, and that to make such an exemption would probably make it impossible for the small farmers in the Philippines to get the money with which this bank is designed to furnish them. I shall not say more than that, Mr. President, because the fate of this bill depends at this late stage of the session upon our dealing with it without much debate—in fact, with very little debate—and it has been debated before, but I hope this amendment will not be adopted, for I think it would probably ruin the purposes of the bill.

The VICE-PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. CULBERSON].

The amendment was rejected.

Mr. CULBERSON. The last section, section 3 of the bill, provides—

That the bank shall not be permitted to hold real estate beyond that required for business premises: *Provided*, That the temporary acquisition of land as the result of foreclosure, or otherwise, on account of a debt, shall be permitted on condition that land so acquired shall be sold within a reasonable time from the date of acquisition.

It appears from this that there is no fixed time within which the land thus obtained by the corporation shall be alienated, nor, Mr. President, is there any penalty provided in the event the lands are not sold within the time supposed to be reasonable required by the act. I therefore move an amendment, which I send to the desk, which I shall myself take the liberty of reading. As I propose to amend section 3 it would read as follows:

SEC. 3. That the bank shall not be permitted to hold real estate beyond that required for business premises: *Provided*, That the temporary acquisition of land as the result of foreclosure, or otherwise, on account of a debt, shall be permitted on condition that land so acquired shall be sold within ten years from the date of acquisition, and all said land not so alienated in good faith shall be forfeited to the Philippine government.

Mr. LODGE. I have no objection to that amendment.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas [Mr. CULBERSON] will be stated.

The SECRETARY. On page 4, section 3, line 12, after the word "within," in the committee amendment, it is proposed to strike out the words "a reasonable time" and to insert "ten years;" and in line 13, after the word "acquisition," it is proposed to insert "and all said land not so alienated in good faith shall be forfeited to the Philippine government;" so as to make the section read:

SEC. 3. That the bank shall not be permitted to hold real estate beyond that required for business premises: *Provided*, That the temporary acquisition of land as the result of foreclosure, or otherwise, on account of a debt, shall be permitted on condition that land so acquired shall be sold within ten years from the date of acquisition, and all said land not so alienated in good faith shall be forfeited to the Philippine government.

The VICE-PRESIDENT. The question is on the amendment proposed by the Senator from Texas.

The amendment was agreed to.

Mr. CULBERSON. Mr. President, I offer an amendment to come in as a new section, upon which, I take it, no discussion will be necessary.

The VICE-PRESIDENT. The amendment proposed by the Senator from Texas will be stated.

The SECRETARY. It is proposed to add as a new section, to be known as "Section 4," the following:

SEC. 4. That nothing in this act shall be taken or construed to indicate any purpose on the part of the United States to exercise permanent sovereignty in the Philippine Islands. The United States hereby disclaim any disposition or intention to exercise permanent sovereignty, jurisdiction, or control over said islands, and assert their determination when a stable and independent government shall have been erected therein, entitled in the judgment of the Government of the United States to recognition as such, to transfer to said government, upon terms which shall be reasonable and just, all rights secured under the cession by Spain, and thereupon to leave the government and control of the islands to their people.

Mr. LODGE. Mr. President, as a mere discussion of that amendment would open up such a wide debate as to be absolutely fatal to the bill, I move to lay it on the table.

Mr. CULBERSON. On that motion I demand the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I transfer my pair with the junior Senator from Virginia [Mr. MARTIN] to the junior Senator from New Jersey [Mr. DRYDEN], and vote. I vote "yea."

Mr. HANSBROUGH (when his name was called). I again announce my pair with the senior Senator from Virginia [Mr. DANIEL], and the same transfer as before, to the senior Senator from Rhode Island [Mr. ALDRICH]. I vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP]. I transfer that pair to the Senator from Maryland [Mr. RAYNER] and vote. I vote "nay."

Mr. SPOONER (when his name was called). I again announce my general pair with the Senator from Tennessee [Mr. CARMACK], and its transfer to the Senator from New York [Mr. PLATT], and will vote. I vote "yea."

Mr. TILLMAN (when his name was called). Under the arrangement made a little while ago with the Senator from South Dakota [Mr. KITTREDGE], who is paired with the junior Senator from Colorado [Mr. PATTERSON], by which the Senator from Vermont [Mr. DILLINGHAM], with whom I am paired, will stand paired with the Senator from Colorado, I will vote. I vote "nay."

Mr. WARREN (when his name was called). I again announce my pair with the senior Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. McCUMBER. Again transferring my pair to the junior Senator from Delaware [Mr. DU PONT], I vote "yea."

Mr. LONG (after having voted in the affirmative). I wish to inquire if the senior Senator from Idaho [Mr. DUBOIS] has voted?

The VICE-PRESIDENT. The Chair is informed that he has not voted.

Mr. LONG. I have a general pair with that Senator, which I transfer to the junior Senator from Indiana [Mr. HEMENWAY], and will permit my vote to stand.

Mr. KITTREDGE. Under the arrangement suggested by the Senator from South Carolina [Mr. TILLMAN] I will vote. I vote "yea."

Mr. MALLORY (after having voted in the negative). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I voted under the impression that he was present. I will withdraw that vote. If he were present, I should vote "nay."

The result was announced—yeas 39, nays 18, as follows:

#### YEAS—39.

Alee	Depew	Heyburn	Penrose
Ankeny	Dick	Kean	Perkins
Burkett	Elkins	Kittredge	Piles
Burnham	Flint	Knox	Scott
Burrows	Foraker	Lodge	Smith
Carter	Fulton	Long	Smoot
Clark, Wyo.	Gallinger	McCumber	Spooner
Crane	Gamble	Millard	Warner
Cullom	Hale	Nelson	Wetmore
Curtis	Hansbrough	Nixon	

#### NAYS—18.

Bacon	Frazier	Newlands	Taliaferro
Berry	La Follette	Overman	Tillman
Backburn	Latimer	Pettus	Whyte
Clay	McCreary	Simmons	
Culberson	McEnery	Stone	

#### NOT VOTING—33.

Aldrich	Clarke, Ark.	Hemenway	Platt
Allison	Daniel	Hopkins	Proctor
Bayley	Dillingham	McLaurin	Rayner
Beveridge	Dolliver	Mallory	Sutherland
Brandegee	Dryden	Martin	Teller
Bulkeley	Dubois	Money	Warren
Carmack	Du Pont	Morgan	
Clapp	Foster	Mulkey	
Clark, Mont.	Frye	Patterson	

So Mr. CULBERSON's amendment was laid on the table.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and read the third time.

The VICE-PRESIDENT. The question is, Shall the bill pass?

Mr. OVERMAN: On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I transfer my pair with the junior Senator from Virginia [Mr. MARTIN] to the junior Senator from New Jersey [Mr. DRYDEN], and will vote. I vote "yea."

Mr. ELKINS (when his name was called). I am paired with the junior Senator from Texas [Mr. BAILEY]. If he were present, I should vote "yea."

Mr. KITTREDGE (when his name was called). I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. With the consent of the senior Senator from South Carolina [Mr. TILLMAN], I will transfer that pair to the junior Senator from Vermont [Mr. DILLINGHAM], which will permit us both to vote. I vote "yea."

Mr. McCUMBER (when his name was called). I have a general pair with the junior Senator from Louisiana [Mr. FOSTER]. I will transfer that pair to the junior Senator from Delaware [Mr. DU PONT], and vote. I vote "yea."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I will transfer that pair to the Senator from Mississippi [Mr. McLAURIN], and vote. I vote "nay."

Mr. SPOONER (when his name was called). Again announcing my general pair and the same transfer thereof as on the previous votes, I vote "yea."

Mr. TILLMAN (when his name was called). Under the arrangement already made with the Senator from South Dakota [Mr. KITTREDGE] for a transfer of our pairs, I will vote "nay."

Mr. WARREN (when his name was called). I am paired with the Senator from Mississippi [Mr. MONEY], and therefore withhold my vote.



The roll call was concluded.

Mr. ELKINS. I have announced my pair with the junior Senator from Texas [Mr. BAILEY], but I will transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER], and vote. I vote "yea."

The result was announced—yeas 43, nays 14, as follows:

## YEAS—43.

Allee	Depew	Kean	Nixon
Ankeny	Dick	Kittredge	Penrose
Burkett	Elkins	Knox	Perkins
Burnham	Flint	La Follette	Piles
Burrows	Foraker	Lodge	Scott
Carter	Fulton	Long	Smith
Clark, Wyo.	Gallinger	McCreary	Smoot
Clay	Gamble	McCumber	Spooner
Crane	Hale	Millard	Warner
Cullom	Hansbrough	Nelson	Wetmore
Curtis	Heyburn	Newlands	

## NAYS—14.

Bacon	Frazier	Overman	Tillman
Berry	Latimer	Pettus	Whyte
Blackburn	McEnery	Stone	
Culberson	Mallory	Taliaferro	

## NOT VOTING—33.

Aldrich	Clarke, Ark.	Hemenway	Proctor
Allison	Daniel	Hopkins	Rayner
Bailey	Dillingham	McLaurin	Simmons
Beveridge	Dolliver	Martin	Sutherland
Brandegee	Dryden	Money	Teller
Bulkeley	Dubois	Morgan	Warren
Carmack	Du Pont	Mulkey	
Clapp	Foster	Patterson	
Clark, Mont.	Frye	Platt	

So the bill was passed.

Mr. BACON subsequently said: As I did not have the opportunity before the last vote was taken, I desire to say that I voted in the negative because of the guarantee of dividends in the bill. Otherwise I should have voted for it.

## UNION STATION.

Mr. HANSBROUGH. It has been my purpose to move the consideration of the bill (H. R. 9329) to amend an act approved February 28, 1903, entitled "An act to provide for a Union Station in the District of Columbia, and for other purposes," but the time is so short before the recess that I give notice that tomorrow morning, after the routine morning business, I will move the consideration of the bill.

Mr. KEAN. The Senator does not intend, of course, to interfere with appropriation bills.

Mr. HANSBROUGH. In reply I will say to the Senator that it could not interfere with appropriation bills.

## PENSIONS OF ARMY NURSES.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (S. 695) increasing the pensions of Army nurses.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. SCOTT. I offer an amendment in the nature of a substitute.

The VICE-PRESIDENT. The Senator from West Virginia offers an amendment, which will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That all nurses now on the pension roll, or who may hereafter be placed on said roll under existing law, and who are now or may hereafter be unable to earn a support, shall, upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may prescribe, be placed upon the pension roll and be entitled to receive pension as follows: In case such nurse has reached the age of 62 years, \$12 per month; at the age of 70 years, \$15 per month, and at the age of 75 years, \$20 per month: *Provided*, That nurses 62 years of age or over, and who are now receiving pensions under existing laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Commissioner of Pensions in such form as he may prescribe, receive the benefits of this act; and nothing herein contained shall prevent any nurse entitled to a pension from prosecuting her claim and receiving a pension under any other general or special act: *Provided further*, That no nurse shall receive a pension under any other law at the same time or for the same period that she is receiving a pension under the provisions of this act: *And provided further*, That no nurse who is now receiving or shall hereafter receive a greater pension under any other general or special law than she would be entitled to receive under the provisions herein shall be pensionable under this act.

Sec. 2. That no pension attorney, claim agent, or other person shall be entitled to receive any compensation for services rendered in presenting any claim to the Bureau of Pensions or securing any pension under this act.

Sec. 3. That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill increasing the pensions of nurses in certain cases."

## SUNDRY CIVIL APPROPRIATION BILL.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 25745) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1908, and for other purposes, to report it with amendments, and I submit a report thereon. I wish to give notice that I shall try to get the bill up for consideration to-morrow morning.

The VICE-PRESIDENT. The bill will be placed on the Calendar.

## ISTHMIAN CANAL COMMISSION.

Mr. MILLARD. I ask unanimous consent for the present consideration of the bill (S. 8488) to amend an act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 7 of the act referred to so as to read as follows:

SEC. 7. That in order to facilitate the construction of the canal and works appurtenant thereto, as provided in this act, there is hereby created the Isthmian Canal Commission, to be composed of not more than seven members, in the discretion of the President, who shall be nominated and appointed by the President, by and with the advice and consent of the Senate, and whose tenure shall continue at the pleasure of the President. One of said Commissioners shall be designated as chairman of said Commission; and should the President deem it expedient and wise to appoint but one Commissioner under the terms of this act, he may do so; and in that event the said appointee shall be designated as Commissioner of the Isthmian Canal, who shall exercise all the powers by this act conferred upon the Isthmian Canal Commission, and who shall receive such compensation as the President may prescribe. The President may, through said office of Commission or Commissioner, employ in said service, at his discretion, engineers of the United States Army; and he may likewise employ engineers in civil life and other persons necessary for the proper and expeditious performance of said work, their compensation to be fixed by the President: *Provided*, That any army officer or other person receiving a given salary from the Government shall be required to relinquish such salary in lieu of compensation received for service under this act, but said Army officer or officers may retain their grade or grades in the Army. Said Commission or Commissioner shall in all matters be subject to the direction and control of the President, who shall require that regular and special reports be made to him and to Congress, and shall assign the necessary office rooms to said Commission or Commissioner and subordinate officers and provide them with all necessary equipment for the proper discharge of their duties.

Mr. TALIAFERRO. The bill which has just been read is an important one, and we are just on the eve of taking a recess when it is proposed to consider it. I should like to ask the Senator if he will not consent to its going over until to-morrow, or some later date?

The VICE-PRESIDENT. The hour of 6 o'clock having arrived, the Senate will take a recess until 8.15 o'clock this evening.

Thereupon the Senate took a recess until 8.15 o'clock p. m.

## EVENING SESSION.

At the expiration of the recess the Senate reassembled.

## CONSIDERATION OF PENSION AND MILITARY RECORD BILLS.

Mr. MCCUMBER. I ask the Senate to proceed to the consideration of unobjected pension bills on the Calendar and also unobjected bills to correct military records. I desire to state that we can get through with them in probably twenty minutes, and I had an understanding with the Senator who intended to move an executive session that I might go on with these bills.

Mr. CULLOM. I intended to move an executive session at this time, but I have no objection to twenty minutes being given to the Pension Calendar. I think the understanding was general that the session this evening was for executive business, to take up treaties.

Mr. MCCUMBER. The Senator will note that very few are here at the present time, not even the Senator who moved that an evening session be held.

Mr. CULLOM. I will yield for pension bills, but for that purpose only.

The VICE-PRESIDENT. Without objection, the Secretary will announce the first pension bill on the Calendar.

Mr. WARREN. I had not consented to that arrangement. I was on the floor. I merely wish to say that I have been waiting all day to get up a local bill, and I should be very glad to have it considered.

Mr. KEAN. Many of us have local bills.

Mr. LODGE. The notice was given for an executive session this evening.

Mr. CULLOM. That I have just stated.

Mr. LODGE. I told the Senator from North Dakota, who

desires naturally to clear the Calendar of unobjected pension bills, which will take about fifteen minutes, that I would withhold the motion for an executive session for that purpose. But I can not yield for anything else after the notice has been given, because if I yielded for one, I must yield for everyone, and we all have bills we would like to get through.

The VICE-PRESIDENT. Is there objection to the request of the Senator from North Dakota?

Mr. WARREN. Just a moment, please, on that matter. I wish to call up a bill that will take only a minute. It is a measure entirely local and of benefit to the State I represent, and it is a Senate bill which must yet go to the House and be considered there. That is my only excuse for breaking in on this delightful symposium.

The VICE-PRESIDENT. Is there objection to the request of the Senator from North Dakota?

Mr. CULLOM. I rose before the Senator from Massachusetts came in and stated that my understanding was that this session was to be held for executive business; but if there was no definite understanding on that score, as far as I was concerned, I would yield to the Senator from North Dakota for twenty minutes.

The VICE-PRESIDENT. Without objection, the Secretary will announce the first pension bill on the Calendar.

AARON DAVIS.

The bill (H. R. 19589) granting a pension to Aaron Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aaron Davis, late of Company M, Fourth Regiment Tennessee Volunteer Infantry, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

EMIL S. WEISSE.

The bill (H. R. 21910) granting a pension to Emil S. Weisse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emil S. Weisse, late of Company G, Second Regiment Wisconsin Volunteer Infantry, war with Spain.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM P. ROBBE.

The bill (H. R. 24220) granting an increase of pension to William P. Robbe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Robbe, late of Company E, Forty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. SLOCUM.

The bill (H. R. 22763) granting an increase of pension to Charles H. Slocum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Slocum, late of Company A, Thirty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MORTON A. PRATT.

The bill (H. R. 22785) granting an increase of pension to Morton A. Pratt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Morton A. Pratt, late second and first lieutenant Company A, Third Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC B. GILMORE.

The bill (H. R. 22788) granting an increase of pension to Isaac B. Gilmore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac B. Gilmore, late of Company E, Ninety-fourth Regiment Illinois

Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. ROBINSON.

The bill (H. R. 22798) granting an increase of pension to George W. Robinson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Robinson, late of Company E, First Regiment Michigan Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT M'MILLEN.

The bill (H. R. 22801) granting an increase of pension to Robert McMillen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert McMillen, late of Company E, Thirtieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN TIPTON.

The bill (H. R. 22823) granting an increase of pension to John Tipton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Tipton, late of Company K, Thirteenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL BOYD.

The bill (H. R. 22859) granting an increase of pension to Samuel Boyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Boyd, late of Captain Barker's company, Georgia Volunteers, Florida Indian war, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OSCAR A. FULLER.

The bill (H. R. 22863) granting an increase of pension to Oscar A. Fuller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oscar A. Fuller, late of Company I, Eighty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA BERRY.

The bill (H. R. 22894) granting an increase of pension to Louisa Berry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louisa Berry, widow of Charles W. Berry, late of Company K (Capt. B. T. White), Second Regiment Missouri Mounted Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. SIBERT.

The bill (H. R. 22947) granting an increase of pension to Benjamin F. Sibert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Sibert, late of Company A, Ninety-third Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. WELLS.

The bill (H. R. 22949) granting an increase of pension to George W. Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Wells, late of Company A, Fourth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEZEKIAH POFFENBERGER.

The bill (H. R. 22950) granting an increase of pension to Hezekiah Poffenberger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of



Hezekiah Poffenberger, late of Company D, Sixty-seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUDOCIA ARNETT.

The bill (H. R. 22964) granting an increase of pension to Eudocia Arnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eudocia Arnett, widow of William W. Arnett, late of Company D, Texas Mounted Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. BEENY.

The bill (H. R. 22986) granting an increase of pension to George W. Beeny was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Beeny, late of Company E, Eighth Regiment New York State Militia Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN D. LANE.

The bill (H. R. 22987) granting an increase of pension to John D. Lane was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John D. Lane, late of Company D, First Regiment New Jersey State Militia Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. HORTON.

The bill (H. R. 22988) granting an increase of pension to Benjamin F. Horton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Horton, late of Company E, Seventy-third Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH RIDDLE.

The bill (H. R. 23414) granting an increase of pension to Joseph Riddle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Riddle, late of Company C, Third Regiment United States Dragoons, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. BERGEN.

The bill (H. R. 23426) granting an increase of pension to John S. Bergen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Bergen, late of Company A, Seventieth Regiment New York Volunteer Infantry, and Company K, Twenty-third Regiment New York National Guard Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CARRIE MAY ALLEN.

The bill (H. R. 23440) granting a pension to Carrie May Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Carrie May Allen, helpless and dependent daughter of James Allen, late unassigned, Twenty-first Regiment New York Volunteer Cavalry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA R. MATTHEWS.

The bill (H. R. 23443) granting an increase of pension to Louisa R. Matthews was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louisa R. Matthews, widow of George A. Matthews, late second lieutenant Company K, One hundred and ninth Regiment New York Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL FLANAGAN.

The bill (H. R. 23467) granting an increase of pension to Michael Flanagan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Flanagan, late fireman U. S. S. *Mississippi*, United States Navy, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL P. WALLIS.

The bill (H. R. 23609) granting an increase of pension to Samuel P. Wallis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel P. Wallis, late of Company F, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD C. TAYLOR.

The bill (H. R. 23626) granting an increase of pension to Richard C. Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard C. Taylor, late of Companies E and C, Third Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. WALTON.

The bill (H. R. 23627) granting an increase of pension to William B. Walton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B. Walton, late captain Company H, First Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARA E. DANIELS.

The bill (H. R. 23628) granting an increase of pension to Clara E. Daniels was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clara E. Daniels, widow of David Daniels, late lieutenant, United States Navy, and to pay her a pension of \$35 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET U. BURGESS.

The bill (H. R. 23660) granting an increase of pension to Harriet U. Burgess was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet U. Burgess, widow of William D. Burgess, late of Company I, One hundred and twentieth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL H. W. RITER.

The bill (H. R. 23150) granting an increase of pension to Samuel H. W. Riter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. W. Riter, late of Captain Smith's company, Utah Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN T. GRAYSON.

The bill (H. R. 23673) granting an increase of pension to John T. Grayson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John T. Grayson, late of Company D, Seventh Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WATSON F. BISBEE.

The bill (H. R. 23675) granting an increase of pension to Watson F. Bisbee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Watson F. Bisbee, late of Company D, Tenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN D. DRYDEN.

The bill (H. R. 23677) granting an increase of pension to John D. Dryden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John D. Dryden, late of Company I, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH R. BARTLETT.

The bill (H. R. 23682) granting an increase of pension to Joseph R. Bartlett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph R. Bartlett, late lieutenant-colonel Forty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT BRAKE.

The bill (H. R. 23685) granting an increase of pension to Robert Brake was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Brake, late of Company C, Forty-eighth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. WYMAN.

The bill (H. R. 23698) granting an increase of pension to William H. Wyman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Wyman, late of Company B, One hundred and fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. DICK.

The bill (H. R. 23709) granting an increase of pension to James M. Dick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Dick, late of Company H, Second Regiment Iowa Volunteer Infantry, and captain Company A, Twenty-fifth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN VANDEGRIFT.

The bill (H. R. 23729) granting an increase of pension to John Vandegrift was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Vandegrift, late of Company A, One hundred and eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSANNA KAOGAN.

The bill (H. R. 23732) granting an increase of pension to Rosanna Kaogan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rosanna Kaogan, widow of Thomas Kaogan, late of the United States Marine Corps, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GIFFORD M. BRIDGE.

The bill (H. R. 23733) granting an increase of pension to Gifford M. Bridge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gifford M. Bridge, late of Company G, Seventeenth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN O. CRAVENS.

The bill (H. R. 23744) granting an increase of pension to John O. Cravens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John O. Cravens, late second lieutenant and aid-de-camp, staff of Brig-

adier-General Milroy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMILY J. VANBEER.

The bill (H. R. 23748) granting an increase of pension to Emily J. Vanbeber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily J. Vanbeber, widow of William Vanbeber, late of Company B, Thirty-fourth Regiment Kentucky Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES D. MOODY.

The bill (H. R. 23751) granting an increase of pension to Charles D. Moody was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles D. Moody, late of Third Battery, Iowa Volunteer Light Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES RILEY.

The bill (H. R. 23763) granting an increase of pension to James Riley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Riley, late of Company I, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALVIN B. FOWLKES.

The bill (H. R. 23791) granting an increase of pension to Calvin B. Fowlkes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calvin B. Fowlkes, late of Company D, First Regiment Virginia Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES D. TOMSON.

The bill (H. R. 23797) granting an increase of pension to James D. Tomson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James D. Tomson, late of Company B, Forty-eighth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. BROWN.

The bill (H. R. 23802) granting an increase of pension to Thomas J. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Brown, late of Company I, Ninth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. BARKER.

The bill (H. R. 23806) granting an increase of pension to William F. Barker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Barker, late of Company B, First Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL LANGMAID.

The bill (H. R. 23834) granting an increase of pension to Samuel Langmaid was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Langmaid, late captain Company F, First Regiment Massachusetts Volunteer Heavy Artillery, and to pay him a pension of \$45 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES A. MATHEWS.

The bill (H. R. 23849) granting an increase of pension to Charles A. Mathews was considered as in Committee of the



Whole. It proposes to place on the pension roll the name of Charles A. Mathews, late of Company D, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. TERRY.

The bill (H. R. 23031) granting an increase of pension to John H. Terry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Terry, late of Company M, Second Regiment New York Volunteer Cavalry, and Company B, Fourteenth United States Infantry, and Company D, Fourth United States Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS A. SNODDY.

The bill (H. R. 23034) granting an increase of pension to Thomas A. Snoddy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas A. Snoddy, late of Company K, First Regiment Tennessee Mounted Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT LIDDELL.

The bill (H. R. 23148) granting an increase of pension to Robert Liddell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Liddell, late of Company B, Eighth Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY A. FULLER.

The bill (H. R. 23175) granting an increase of pension to Henry A. Fuller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry A. Fuller, late of Company G, Thirteenth Regiment New York State Militia Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARTHOLOMEW BURKE.

The bill (H. R. 23280) granting an increase of pension to Bartholomew Burke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bartholomew Burke, late of Company C, Fiftieth Regiment New York Volunteer Engineers, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. TUMEY.

The bill (H. R. 23282) granting an increase of pension to John W. Tumey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Tumey, late of Companies F and K, Ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JEREMIAH BURKE.

The bill (H. R. 23311) granting an increase of pension to Jeremiah Burke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jeremiah Burke, late of U. S. S. *Passaic*, *Nereus*, and *Constellation*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM LEWIS.

The bill (H. R. 23312) granting an increase of pension to William Lewis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Lewis, late of Company G, Forty-seventh Regiment New York State Militia Infantry, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN D. REED.

The bill (H. R. 23313) granting an increase of pension to Benjamin D. Reed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin D. Reed, late of Thirtieth Unattached Company Massachusetts Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT FOOTE.

The bill (H. R. 23323) granting an increase of pension to Robert Foote was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Foote, late of Troop F, Second Regiment United States Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

URIAH BLAIR.

The bill (H. R. 23332) granting an increase of pension to Uriah Blair was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Uriah Blair, late of Company C, Powell's battalion Missouri Mounted Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

Mr. McCUMBER. I have information that the claimant in this case is dead, and therefore I move that the bill be indefinitely postponed.

The motion was agreed to.

ROBERT HASTIE.

The bill (H. R. 23360) granting an increase of pension to Robert Hastie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Hastie, late quartermaster-sergeant Eleventh Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HURD L. MILLER.

The bill (H. R. 23407) granting an increase of pension to Hurd L. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hurd L. Miller, late of Company H, Eighth Regiment New York Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE H. MARTIN.

The bill (H. R. 23411) granting an increase of pension to George H. Martin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Martin, late of Company D, One hundredth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN JAMES.

The bill (H. R. 22170) granting an increase of pension to Benjamin James was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin James, late of Captain Angel's company, North Carolina Volunteers, Cherokee Indian disturbances, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN BAKER.

The bill (H. R. 22328) granting an increase of pension to Susan Baker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan Baker, widow of John Baker, late of Company I, Third Regiment United States Artillery, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SIMON E. CHAMBERLIN.

The bill (H. R. 17814) granting an increase of pension to Simon E. Chamberlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Simon E. Chamberlin, late first lieutenant Company A, One hundred and eighteenth Regiment New York Volunteer Infan-

try, captain Company K, Twenty-fifth Regiment New York Volunteer Cavalry, and first lieutenant, Eighth Regiment United States Cavalry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES F. ELLINGWOOD.

The bill (H. R. 22696) granting a pension to Charles F. Ellingwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles F. Ellingwood, dependent father of Everett E. Ellingwood, late of U. S. S. *Marblehead*, United States Navy, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET L. JAMES.

The bill (H. R. 22329) granting an increase of pension to Margaret L. James was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret L. James, widow of Augustus P. James, late of Company K, Third Regiment United States Artillery, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY C. JONES.

The bill (H. R. 22330) granting an increase of pension to Mary C. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary C. Jones, widow of Robert B. Jones, late of Company F, First Regiment North Carolina Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EUGENE W. ROLFE.

The bill (H. R. 22392) granting an increase of pension to Eugene W. Rolfe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eugene W. Rolfe, late of Third Battery, Vermont Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD MILLER.

The bill (H. R. 22395) granting a pension to Edward Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Miller, late of Captain Shead's company, Second Washington Territory Volunteers, Oregon and Washington Indian wars, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUISA E. ROBERTSON.

The bill (H. R. 22426) granting an increase of pension to Louisa E. Robertson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louisa E. Robertson, widow of Thomas H. Robertson, alias Thomas Young, late of Company A, Sixty-eighth Regiment New York Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB MOSE.

The bill (H. R. 22441) granting an increase of pension to Jacob Mose was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Mose, late of Company A, First Regiment Potomac Home Brigade Maryland Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM KELSO.

The bill (H. R. 22468) granting an increase of pension to William Kelso was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kelso, late of Company D, First Regiment Maryland Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM A. CLARKE.

The bill (H. R. 22503) granting an increase of pension to William A. Clarke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William A. Clarke, late of Company C, First Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM TRUETT.

The bill (H. R. 22529) granting an increase of pension to William Truett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Truett, late of Company H, Fifth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD TURNBULL.

The bill (H. R. 22540) granting an increase of pension to Richard Turnbull was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Turnbull, late of Company I, Fifth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HICKCOX, JR.

The bill (H. R. 22547) granting an increase of pension to John Hickcox, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hickcox, jr., late of Company C, One hundred and eleventh Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANKLIN H. DAVIS.

The bill (H. R. 22548) granting an increase of pension to Franklin H. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin H. Davis, late of Company E, Eleventh Regiment New York Volunteer Cavalry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE J. ABBEY.

The bill (H. R. 22562) granting an increase of pension to George J. Abbey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George J. Abbey, late of Company C, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW J. FRAYER.

The bill (H. R. 22592) granting an increase of pension to Andrew J. Frayer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Frayer, late of Company H, Eighth Regiment, and Company I, Fourth Regiment, New York Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC G. M'KIBBAN.

The bill (H. R. 22613) granting an increase of pension to Isaac G. McKibban was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac G. McKibban, late of Company H, Sixteenth Regiment Kansas Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET O'REILLY.

The bill (H. R. 22617) granting an increase of pension to Margaret O'Reilly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret O'Reilly, widow of Jefferson O'Reilly, late of Company D, Twelfth Regiment Rhode Island Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.



The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSIAH N. PRATT.

The bill (H. R. 22629) granting an increase of pension to Josiah N. Pratt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josiah N. Pratt, late of U. S. S. *Sabine*, *Ohio*, and *Trefoil*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE WILEY.

The bill (H. R. 22630) granting an increase of pension to George Wiley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Wiley, late of Company G, Eleventh Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS T. BALDWIN.

The bill (H. R. 22650) granting an increase of pension to Thomas T. Baldwin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas T. Baldwin, late of Company E, Twenty-eighth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES R. FAIRBROTHER.

The bill (H. R. 22701) granting an increase of pension to James R. Fairbrother was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James R. Fairbrother, late of Company A, Twenty-third Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. RICHARDS.

The bill (H. R. 22703) granting an increase of pension to Benjamin F. Richards was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Richards, late of Company E, Twentieth Regiment, and Company C, One hundred and Twenty-eighth Regiment, Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SEBASTIAN GERHARDT.

The bill (H. R. 22707) granting an increase of pension to Sebastian Gerhardt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sebastian Gerhardt, late of Company K, Thirty-first Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN MILLER.

The bill (H. R. 22727) granting an increase of pension to John Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Miller, late of Company I, Ninth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SATINA A. WAYMER.

The bill (H. R. 21788) granting an increase of pension to Satina A. Waymer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Satina A. Waymer, widow of James P. Waymer, late of Company G, Fifth Regiment West Virginia Volunteer Infantry, and major, First Regiment West Virginia Veteran Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Hope Waymer, helpless and dependent child of said James P. Waymer, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Satina A. Waymer, the name of said Hope Waymer shall be placed on the pension roll at \$12 per month from and after the date of death of said Satina A. Waymer.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM HARDESTY.

The bill (H. R. 21818) granting an increase of pension to William Hardesty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hardesty, late of Company F, United States Voltigeurs, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS MURRAY.

The bill (H. R. 21827) granting an increase of pension to Francis Murray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Murray, late of Company D, Forty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE KOCH.

The bill (H. R. 21899) granting an increase of pension to Catharine Koch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine Koch, widow of John Koch, late of Company H, Twenty-first Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE NEWTON.

The bill (H. R. 21911) granting an increase of pension to George Newton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Newton, late of Company G, First Regiment Wisconsin Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FERDINAND PAHL.

The bill (H. R. 21914) granting an increase of pension to Ferdinand Pahl was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ferdinand Pahl, late of Fourth Independent Battery, Wisconsin Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. LOWELL.

The bill (H. R. 21974) granting an increase of pension to John W. Lowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Lowell, late captain Company G, Second Regiment Illinois Volunteer Light Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. PUSEY.

The bill (H. R. 21983) granting an increase of pension to James E. Pusey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Pusey, late of Company C, Ninth Regiment Delaware Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SALOME JANE MARLAND.

The bill (H. R. 19239) granting a pension to Salome Jane Marland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Salome Jane Marland, widow of William Marland, late captain Second Battery Massachusetts Volunteer Light Artillery, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN P. WALKER.

The bill (H. R. 22041) granting a pension to John P. Walker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Walker, late of Capt. Thomas Smith's company, Ninth Regiment Oregon Militia Volunteers, Oregon and Washington Territorial Indian wars, and to pay him a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA LORCH.

The bill (H. R. 22055) granting an increase of pension to Maria Lorch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria Lorch, widow of Henry Lorch, late of Company C, Fifty-second Regiment New York Volunteer Infantry, and Company A, Twenty-eighth Regiment New York National Guard Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HORACE F. PACKARD.

The bill (H. R. 22063) granting an increase of pension to Horace F. Packard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace F. Packard, late of Company A, Third Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMELIA SCHMIDTKE.

The bill (H. R. 22086) granting a pension to Amelia Schmidtke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia Schmidtke, widow of Charles Schmidtke, late of Company C, Eighteenth Regiment New York Volunteer Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LARS ISAACSON.

The bill (H. R. 22093) granting an increase of pension to Lars Isaacson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lars Isaacson, late of Company A, Second Battalion, Sixteenth Regiment United States Infantry, and Company K, Forty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HAND.

The bill (H. R. 22165) granting an increase of pension to John Hand was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hand, late of Company H, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and Company E, Third Regiment Pennsylvania Provisional Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES PRENDEVILLE.

The bill (H. R. 22175) granting an increase of pension to Charles Prendeville was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Prendeville, late of Company D, Nineteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYNTHIA M. BRYSON.

The bill (H. R. 22169) granting an increase of pension to Cynthia M. Bryson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cynthia M. Bryson, widow of William V. Bryson, late of Company L, Thirteenth Regiment Tennessee Volunteer Cavalry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM TEMPLIN.

The bill (H. R. 22199) granting an increase of pension to William Templin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Templin, late of Company F, Sixth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRIFFIN A. COFFIN.

The bill (H. R. 22216) granting an increase of pension to Griffin A. Coffin was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of Griffin A. Coffin, late first lieutenant and adjutant, Twenty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL MANLY.

The bill (H. R. 22251) granting an increase of pension to Samuel Manly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Manly, late of Company I, Fifteenth Regiment United States Infantry, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. BISSELL.

The bill (H. R. 22260) granting an increase of pension to James E. Bissell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Bissell, late of Company C, Sixth Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PERRY LAMPHERE.

The bill (H. R. 22294) granting an increase of pension to Perry Lamphere was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Perry Lamphere, late of Company M, Sixteenth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BURRELL H. GILLAM.

The bill (H. R. 22302) granting an increase of pension to Burrell H. Gillam was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Burrell H. Gillam, late of Company I, Eighth Regiment Provisional Enrolled Missouri Militia, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY LEVINA WILLIAMS.

The bill (H. R. 22326) granting an increase of pension to Mary Levina Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Levina Williams, widow of Jacob Williams, late of Captain Surk's Company I, Third Regiment United States Artillery, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISABEL MANNEY.

The bill (H. R. 22327) granting an increase of pension to Isabel Manney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabel Manney, widow of Lawson Manney, late of Company I, Twelfth Regiment United States Infantry, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCIE A. ALLYN.

The bill (H. R. 23198) granting an increase of pension to Lucie A. Allyn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucie A. Allyn, widow of Charles F. Allyn, late first lieutenant Company C, Seventh Regiment New York Volunteer Cavalry, and pay her a pension at the rate of \$16 per month in lieu of that she is now receiving.

Mr. McCUMBER. I ask the Senate to disagree to the committee amendment.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM A. DECKER.

The bill (H. R. 25069) granting an increase of pension to William A. Decker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wil-



liam A. Decker, late of Company F, Eighth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDMUND P. WEATHERBY.

The bill (H. R. 25097) granting an increase of pension to Edmund P. Weatherby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edmund P. Weatherby, late of Company C, Forty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NANCY A. MEREDITH.

The bill (H. R. 25101) granting an increase of pension to Nancy A. Meredith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nancy A. Meredith, widow of Frederick Meredith, late of Captain Hall's company, Third Regiment Illinois Mounted Volunteers, Black Hawk Indian war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS A. BIFFAR.

The bill (H. R. 25106) granting an increase of pension to Francis A. Biffar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis A. Biffar, late of Company F, One hundred and forty-third Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. BROWN.

The bill (H. R. 25108) granting an increase of pension to William H. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Brown, late of Company A, Eleventh Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM TURNER.

The bill (H. R. 25112) granting an increase of pension to William Turner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Turner, late of Company F, Second Regiment New Jersey Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. HAYES.

The bill (H. R. 25113) granting an increase of pension to John H. Hayes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Hayes, late first lieutenant Company B, Twenty-first Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES B. SPRING.

The bill (H. R. 25120) granting an increase of pension to Charles B. Spring was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Spring, late of Company D, One hundred and fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH WOLFE.

The bill (H. R. 25143) granting an increase of pension to Elizabeth Wolfe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Wolfe, widow of Joshua B. Wolfe, late of Company A, Battalion of Missouri Volunteer Light Artillery, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

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CHARLES HENRY WEATHERWAX.

The bill (H. R. 25145) granting an increase of pension to Charles Henry Weatherwax was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Henry Weatherwax, late of Company K, Second Regiment California Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA L. HAYES.

The bill (H. R. 25149) granting an increase of pension to Joshua L. Hayes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joshua L. Hayes, late captain Company A, Fourteenth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BURGESS N. ISAACS.

The bill (H. R. 25172) granting an increase of pension to Burgess N. Isaacs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Burgess N. Isaacs, late of Company M, Eighth Regiment Kentucky Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY W. CASEY.

The bill (H. R. 25174) granting an increase of pension to Henry W. Casey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry W. Casey, late of Company F, One hundred and fifty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GOTTFRIED HAFERSTEIN.

The bill (H. R. 25176) granting an increase of pension to Gottfried Haferstein was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gottfried Haferstein, late of Company B, Twenty-eighth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALPHONSO BROWN.

The bill (H. R. 25211) granting an increase of pension to Alphonso Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alphonso Brown, late of Company B, Maine Coast Guards Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT H. DOUGLAS.

The bill (H. R. 25214) granting an increase of pension to Robert H. Douglas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert H. Douglas, late of Company A, Twenty-sixth Regiment Connecticut Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID C. SMITH.

The bill (H. R. 25224) granting an increase of pension to David C. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David C. Smith, late of Company A, Thirty-eighth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WARREN ONAN.

The bill (H. R. 25247) granting an increase of pension to Warren Onan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Warren Onan, late second lieutenant Company C, One hundred and Fifty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KNUTE THOMPSON.

The bill (H. R. 25248) granting an increase of pension to Knute Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Knute Thompson, late of Company A, Eighth Regiment Missouri Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. WARFEL.

The bill (H. R. 25254) granting an increase of pension to George W. Warfel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Warfel, late of Company F, Twelfth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES T. BLAIR.

The bill (H. R. 25229) granting an increase of pension to James T. Blair was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James T. Blair, late of Troop A, Third Regiment United States Dragoons, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY W. WILSON.

The bill (H. R. 24100) granting an increase of pension to Henry W. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry W. Wilson, late of Company D, One hundred and seventieth Regiment Ohio National Guard Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. ASHTON.

The bill (H. R. 24101) granting an increase of pension to George W. Ashton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Ashton, late of Company E, Fifteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH O'NEAL.

The bill (H. R. 24161) granting an increase of pension to Hugh O'Neal was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh O'Neal, late of Company E, Fourteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FINUS M. WYATT.

The bill (H. R. 24171) granting an increase of pension to Finus M. Wyatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Finus M. Wyatt, late of Company F, One hundred and first Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH B. JOYCE.

The bill (H. R. 24183) granting an increase of pension to Joseph B. Joyce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph B. Joyce, late of Company E, Fifty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK HOFFNER.

The bill (H. R. 24189) granting an increase of pension to Frederick Hoffner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Hoffner, late of Company B, Fourth Regiment Cali-

fornia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY ANN FOARD.

The bill (H. R. 24197) granting an increase of pension to Mary Ann Foard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Ann Foard, widow of James A. Foard, late ensign, Captain McGee's company, Alabama Volunteers, Creek Indian war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE H. MADDOX.

The bill (H. R. 24210) granting an increase of pension to George H. Maddox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Maddox, late of Company K, Eighty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE HOELL.

The bill (H. R. 24215) granting an increase of pension to George Hoell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Hoell, late of Company A, Thirty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM IVANS.

The bill (H. R. 24225) granting an increase of pension to William Ivans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Ivans, late of Company F, Colonel Phelps's regiment, Missouri Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS J. EACHUS.

The bill (H. R. 24226) granting an increase of pension to Francis J. Eachus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis J. Eachus, late first lieutenant Company C, Ninety-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. STEWART.

The bill (H. R. 24269) granting an increase of pension to William L. Stewart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Stewart, late of Company K, Eighth Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN GOODING.

The bill (H. R. 24288) granting an increase of pension to John Gooding was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gooding, late of United States ships *Ohio*, *Wabash*, and *New Ironsides*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL R. LAMOREAU.

The bill (H. R. 24294) granting an increase of pension to Daniel R. Lamoreau was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel R. Lamoreau, late captain and commissary of subsistence, United States Volunteers, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM B. DOYLE.

The bill (H. R. 24299) granting an increase of pension to William B. Doyle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William B.



Doyle, late first lieutenant Company D, One hundred and seventy-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SADIE E. HAWTHORN.

The bill (H. R. 24300) granting a pension to Sadie E. Hawthorn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sadie E. Hawthorn, widow of Aldus F. Hawthorn, late captain Company D, One hundred and fifty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay her a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYMAN THOMPSON.

The bill (H. R. 24308) granting an increase of pension to Lyman Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lyman Thompson, late of Company G, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA CASE.

The bill (H. R. 24334) granting an increase of pension to Emma Case was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma Case, widow of Horace M. Case, late of Company E, One hundred and forty-sixth Regiment New York Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. GARDNER.

The bill (H. R. 24338) granting an increase of pension to James M. Gardner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Gardner, late of Company E, Twenty-fourth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. HANEY.

The bill (H. R. 24343) granting an increase of pension to James M. Haney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Haney, late of Company G, First Regiment Virginia Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. JAMES.

The bill (H. R. 24344) granting an increase of pension to John H. James was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. James, late of Company C, Eleventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY O. LEARNED.

The bill (H. R. 24355) granting a pension to Mary O. Learned was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary O. Learned, widow of Walter A. Learned, late of Company F, Nineteenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM DAVIS.

The bill (H. R. 24194) granting an increase of pension to William Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Davis, late of Company K, Captain Chandler's First Regiment, Texas Mounted Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS L. RICHARDSON.

The bill (H. R. 24599) granting an increase of pension to Thomas L. Richardson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas L. Richardson, late of Company D, Third Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH STUESSI.

The bill (H. R. 24635) granting a pension to Elizabeth Stuessi was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Stuessi, widow of Peter Stuessi, late of Companies K and G, Ninth Regiment Wisconsin Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BERNARD SHALLOW.

The bill (H. R. 24638) granting an increase of pension to Bernard Shallow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bernard Shallow, late of Company I, Ninety-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS M. JARVIS.

The bill (H. R. 24681) granting an increase of pension to Lewis M. Jarvis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis M. Jarvis, late captain Company E, Eighth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD BURCH.

The bill (H. R. 24691) granting an increase of pension to Edward Burch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Burch, late of Company G, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYDIA HUNT.

The bill (H. R. 24698) granting an increase of pension to Lydia Hunt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lydia Hunt, widow of Gilbert Hunt, late of Hunt's company, Mormon Battalion, Iowa Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER CAMPBELL.

The bill (H. R. 24707) granting an increase of pension to Peter Campbell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Campbell, late of Company D, Tenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SELDON R. SANDERS.

The bill (H. R. 24726) granting an increase of pension to Seldon R. Sanders was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Seldon R. Sanders, late first lieutenant Company E, Eleventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. MORRISON.

The bill (H. R. 24733) granting an increase of pension to John H. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Morrison, late of Company B, Thirteenth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WILLIAM E. CHASE.

The bill (H. R. 24740) granting an increase of pension to William E. Chase was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Chase, late of Company C, Thirty-fourth Regiment Massachusetts Volunteer Infantry, and Company I, Twenty-first Regiment Veteran Reserve Corps, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## DAVID T. TAYLOR.

The bill (H. R. 24776) granting an increase of pension to David T. Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David T. Taylor, late of Company C, Eighth Regiment Indiana Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## WILLIAM H. PENFIELD.

The bill (H. R. 24792) granting an increase of pension to William H. Penfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Penfield, late of Company L, Second Regiment Iowa Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## GEORGE G. MARTIN.

The bill (H. R. 24801) granting an increase of pension to George G. Martin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George G. Martin, late lieutenant-colonel First Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HORACE E. HEATH.

The bill (H. R. 24807) granting an increase of pension to Horace E. Heath was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace E. Heath, late of Company H, One hundred and twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$25 per month in lieu of that he is receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN R. ROBBINS.

The bill (H. R. 24829) granting an increase of pension to John R. Robbins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John R. Robbins, late of Company F, First Regiment Texas Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## HENRY H. A. WALKER.

The bill (H. R. 24838) granting an increase of pension to Henry H. A. Walker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry H. A. Walker, late of Company C, First Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ANDREW J. PRICE.

The bill (H. R. 24845) granting an increase of pension to Andrew J. Price was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Price, late of Company H, Eighth Regiment Illinois Volunteer Infantry, and Company A, Fifth Regiment Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ROBERT M. WOLF.

The bill (H. R. 24846) granting an increase of pension to Robert M. Wolf was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert M. Wolf, late of Company F, Second Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## OREN S. ROUSE.

The bill (H. R. 24851) granting an increase of pension to Oren S. Rouse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oren S. Rouse, late of Company G, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## EMMA HEMPLE.

The bill (H. R. 25455) granting an increase of pension to Emma Hemple was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma Hemple, widow of Henry H. Hemple, late of band, Twelfth Regiment New York State Militia Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JACOB RINER.

The bill (H. R. 24710) granting an increase of pension to Jacob Riner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Riner, late of Company H, First Regiment Virginia Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN GEORGE.

The bill (H. R. 24769) granting an increase of pension to John George was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John George, late of Company B, First Regiment United States Dragoons, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CORNELIUS O'CALLAGHAN.

The bill (H. R. 15027) to remove the charge of desertion against Cornelius O'Callaghan was considered as in Committee of the Whole. It directs the Secretary of the Navy to remove the charge of desertion against Cornelius O'Callaghan, late of the U. S. S. *Minnesota*, and to issue to him a discharge from the Navy of the United States.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## PETER O'NEIL.

The bill (H. R. 1561) authorizing the Secretary of the Navy to grant a discharge to Peter O'Neil was considered as in Committee of the Whole. It directs the Secretary of the Navy to grant a discharge to Peter O'Neil, late a member of United States Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## CONRAD HEENE.

The bill (S. 6068) to correct the military record of Conrad Hyne was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 11, after the date "1865," to insert the following proviso:

*Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

So as to make the bill read:

*Be it enacted, etc.*, That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Conrad Hyne, late of Companies C and H of the First Regiment of Maryland Cavalry Volunteers, and remove from the rolls and records in the office of the Adjutant-General of the United States Army any charge now standing on said records against Conrad Hyne, late of Companies C and H, First Regiment of Maryland Cavalry Volunteers, and grant him an honorable discharge from October 19, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

Mr. PERKINS. In line 4 I move to strike out the name "Hyne" and insert "Heene;" and in line 9 to strike out the name "Hyne" and insert "Heene."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.



The title of the bill was amended so as to read: "A bill to correct the military record of Conrad Heene."

EDWARD W. HOBAN.

The bill (H. R. 10574) granting a pension to Edward W. Hoban was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward W. Hoban, late of Company I, Second Regiment United States Cavalry, and pay him a pension at the rate of \$20 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CATHARINE LIPES.

The bill (H. R. 25440) granting an increase of pension to Catharine Lipes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Artillery," to insert "war with Mexico;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine Lipes, widow of John Lipes, late of Company F, Fourth Regiment United States Artillery, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN R. KISSINGER.

The bill (H. R. 21721) granting a pension to John R. Kissinger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 10, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John R. Kissinger, late of Company D, One hundred and fifty-seventh Regiment Indiana Volunteer Infantry, acting hospital steward, Hospital Corps, United States Army, war with Spain, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM J. CRANE.

The bill (H. R. 9767) granting a pension to William J. Crane was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Crane, late of Troop K, First Regiment United States Cavalry, and Company K, Fourth Regiment United States Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM E. WEBSTER.

The bill (H. R. 25445) granting an increase of pension to William E. Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Webster, late of First Independent Battery, New York Volunteer Light Artillery, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. MAXWELL.

The bill (H. R. 25451) granting an increase of pension to William H. Maxwell was considered as in Committee of the

Whole. It proposes to place on the pension roll the name of William H. Maxwell, late of U. S. S. *Robb*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM FILKINS.

The bill (H. R. 25511) granting an increase of pension to Hiram Filkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram Filkins, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA A. L. STEPHENS.

The bill (H. R. 24223) granting a pension to Martha A. L. Stephens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha A. L. Stephens, widow of Wilbur C. Stephens, late of Company C, Purnell Legion Maryland Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. ROBINS.

The bill (H. R. 24855) granting a pension to George W. Robins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Robins, late scout and guide, United States Volunteers, and to pay him a pension of \$20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET A. JORDAN.

The bill (H. R. 15779) granting a pension to Margaret A. Jordan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret A. Jordan, widow of Henry J. Jordan, late of Company C, Twenty-ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$8 per month, such pension to cease upon proof that the soldier is still living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. WOOD.

The bill (H. R. 12021) granting a pension to James M. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Wood, late of Capt. James Hankins's company, Alabama Scouts and Guides, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STODDARD CASWELL.

The bill (H. R. 22283) granting an increase of pension to Stoddard Caswell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Stoddard Caswell, late of Company C, One hundred and thirty-eighth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY S. PLATT.

The bill (H. R. 21413) granting an increase of pension to Mary S. Platt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary S. Platt, widow of Henry A. Platt, late first lieutenant and quartermaster First Territorial Regiment United States Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving, and \$2 per month for the minor child of the said officer until she shall attain the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES J. LAWLEY.

The bill (H. R. 23442) granting an increase of pension to James J. Lawley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James J. Lawley, late of Company E, One hundred and sixty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL LOY.

The bill (H. R. 25255) granting an increase of pension to Samuel Loy was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of Samuel Loy, late of Company K, Third Regiment Pennsylvania Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRUS W. SCOTT.

The bill (H. R. 25256) granting an increase of pension to Cyrus W. Scott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyrus W. Scott, late of Company K, Ninety-second Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. PHILLIPS.

The bill (H. R. 25257) granting an increase of pension to James H. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Phillips, late of Company A, Twelfth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. RICHIE.

The bill (H. R. 25260) granting an increase of pension to Thomas J. Richie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Richie, late of Company C, Forty-fifth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M. HELVY.

The bill (H. R. 25261) granting an increase of pension to William M. Helvy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Helvy, late of Company C, Thirty-ninth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS M'DERMOTT.

The bill (H. R. 25263) granting an increase of pension to Thomas McDermott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas McDermott, late of Company H, Eighty-third Regiment New York Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINNA Y. FIELD.

The bill (H. R. 25288) granting an increase of pension to Minna Y. Field was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Minna Y. Field, widow of Edward Field, late major Second Regiment United States Artillery, and to pay her a pension of \$35 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADELINE BROWN.

The bill (H. R. 25303) granting an increase of pension to Adeline Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adeline Brown, widow of James M. Brown, late captain Company K, Seventh Regiment New Jersey Volunteer Infantry, and major, Fifteenth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$25 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDGAR A. STEVENS.

The bill (H. R. 25305) granting an increase of pension to Edgar A. Stevens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edgar A. Stevens, late of Company F, Thirteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH CASAVAW.

The bill (H. R. 25309) granting an increase of pension to Joseph Casavaw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Casavaw, late of Company H, Fifth Regiment Vermont Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POLLY ANN BOWMAN.

The bill (H. R. 25325) granting an increase of pension to Polly Ann Bowman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Polly Ann Bowman, widow of John Bowman, late of Capt. H. Garmany's company, First Regiment Georgia Mounted Volunteers, Creek Indian war, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. BARR.

The bill (H. R. 25328) granting an increase of pension to James W. Barr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Barr, late of Company A, Twenty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE HOUSE.

The bill (H. R. 25354) granting a pension to Alice House was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice House, widow of William M. House, late of Company A, Fourth Regiment Missouri State Militia Volunteer Cavalry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M'CRANEY.

The bill (H. R. 25355) granting a pension to William McCraney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William McCraney, late of Captain Morgan's company, Iowa Mounted Volunteers, war with Mexico, and to pay him a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD GOGIN.

The bill (H. R. 25391) granting an increase of pension to Richard Gogin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard Gogin, late of Company B, Sixteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. STRONG.

The bill (H. R. 8894) granting an increase of pension to James C. Strong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James C. Strong, late lieutenant-colonel Thirty-eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$72 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. STEVENS.

The bill (H. R. 24868) granting an increase of pension to John M. Stevens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Stevens, late of Company C, One hundred and thirty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY W. LUSK.

The bill (H. R. 24899) granting an increase of pension to Mary W. Lusk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary W. Lusk, widow of James L. Lusk, late lieutenant-colonel, Corps of Engineers, United States Army, and to pay her a pension of \$40 per month in lieu of that she is now receiving.



The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. RAWLINGS.

The bill (H. R. 24902) granting an increase of pension to John W. Rawlings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Rawlings, late of Company I, Tenth Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SUSAN E. DAVIS.

The bill (H. R. 24905) granting an increase of pension to Susan E. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Susan E. Davis, widow of William A. M. Davis, late first lieutenant Company B, One hundred and thirteenth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYLOYD ROBERTS.

The bill (H. R. 24907) granting an increase of pension to Lloyd Roberts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lloyd Roberts, late of U. S. S. *Sabine, Ohio*, and *New Hampshire*, United States Navy, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. CHURCHILL.

The bill (H. R. 24910) granting an increase of pension to William H. Churchill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Churchill, late of Company E, Eighth Regiment Illinois Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES C. COSGRO.

The bill (H. R. 24911) granting an increase of pension to James C. Cosgro was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James C. Cosgro, late of Troop C, Second Regiment United States Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PATRICK F. SHEVLIN, ALIAS PATRICK BURNS.

The bill (H. R. 24921) granting an increase of pension to Patrick F. Shevlin, alias Patrick Burns, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick F. Shevlin, alias Patrick Burns, late of Company C, First Regiment Maine Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM V. MONROE.

The bill (H. R. 24924) granting an increase of pension to William V. Monroe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William V. Monroe, late captain Company K, Eleventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TIMOTHY H. GIBSON.

The bill (H. R. 24940) granting an increase of pension to Timothy H. Gibson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Timothy H. Gibson, late of Company G, Sixty-third Regiment Ohio Volunteer Infantry, and Company A, Ninth Regiment Ohio Volunteer Cavalry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHEBE WRIGHT.

The bill (H. R. 24946) granting a pension to Phebe Wright was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of Phebe Wright, dependent mother of R. W. Wright, late unassigned drafted man, Third Congressional district of New Hampshire, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD MAILEY.

The bill (H. R. 24947) granting an increase of pension to Edward Mailey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Mailey, late of Company H, First Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS H. FERRY.

The bill (H. R. 24957) granting an increase of pension to Francis H. Ferry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis H. Ferry, late of Company C, Seventeenth Regiment Connecticut Volunteer Infantry, and One hundred and fifty-ninth Company, Second Battalion Veteran Reserve Corps, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY KANLINE.

The bill (H. R. 24958) granting an increase of pension to Henry Kanline was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Kanline, late of Company A, Fifth Regiment Pennsylvania Volunteer Heavy Artillery, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AUGUSTUS H. HANSELL.

The bill (H. R. 24961) granting an increase of pension to Augustus H. Hansell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus H. Hansell, late of Captain Gaither's company, Georgia Volunteers, Florida Indian war, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

Mr. McCUMBER. The beneficiary having died, I move that the bill be indefinitely postponed.

The motion was agreed to.

JACOB GILBRECH.

The bill (H. R. 24965) granting an increase of pension to Jacob Gilbrech was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Gilbrech, late of Company I, First Regiment Indiana Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN BURKE.

The bill (H. R. 24968) granting an increase of pension to John Burke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Burke, late of Company E, Twenty-fifth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES N. STAFFORD.

The bill (H. R. 24969) granting an increase of pension to Charles N. Stafford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles N. Stafford, late of Company D, Eighth Regiment Maine Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIJAH DEVORE.

The bill (H. R. 24971) granting an increase of pension to Elijah Devore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elijah Devore, late of Company A, Thirteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAURANAH J. HEDGEPEETH.

The bill (H. R. 24984) granting an increase of pension to Laurantah J. Hedgepeth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Laurantah J. Hedgepeth, widow of Emanuel Hedgepeth, late of Company G, First Regiment Arkansas Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CINDERELLA B. MCCLURE.

The bill (H. R. 25020) granting an increase of pension to Cinderella B. McClure was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cinderella B. McClure, widow of Robert A. McClure, late of Company F, Sixteenth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VIRGINIA C. GALLOWAY.

The bill (H. R. 25023) granting an increase of pension to Virginia C. Galloway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Virginia C. Galloway, widow of John Enos Galloway, late of Captain Fitzhugh's company, Texas Mounted Volunteers, war with Mexico, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HAM.

The bill (H. R. 25025) granting an increase of pension to John Ham was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Ham, late of Company B, First Regiment Massachusetts Volunteer Heavy Artillery, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OTHO E. D. CULBERTSON.

The bill (H. R. 24861) granting an increase of pension to Otho E. D. Culbertson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Otho E. D. Culbertson, late of Company H, Fourth Regiment Illinois Volunteers, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMELINE H. HARDIE.

The bill (H. R. 25005) granting an increase of pension to Emeline H. Hardie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Volunteers," to insert "war with Mexico;" so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emeline H. Hardie, widow of Joseph Hardie, late of Company H, First Regiment North Carolina Volunteers, war with Mexico, and pay her a pension at the rate of \$12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM FREEMAN.

The bill (H. R. 23850) granting an increase of pension to William Freeman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Freeman, late of Company H, Second Regiment Pennsylvania Volunteer Infantry, war with Mexico, and Company A, Ninety-seventh Regiment Pennsylvania Volunteers, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES G. CROZER.

The bill (H. R. 23852) granting an increase of pension to James G. Crozer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James G.

Crozer, late captain Company C, Twenty-sixth Regiment Iowa Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH E. SELTERS.

The bill (H. R. 23855) granting a pension to Sarah E. Selters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah E. Selters, widow of John Selters, late of Company B, Fifteenth Regiment Ohio Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC C. SMITH.

The bill (H. R. 23857) granting an increase of pension to Isaac C. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac C. Smith, late of Company B, Twenty-fourth Regiment Ohio Volunteer Infantry, and Company F, Eighteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. MILLER.

The bill (H. R. 23864) granting an increase of pension to James A. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Miller, late of Company A, Seventh Regiment West Virginia Volunteer Cavalry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB B. HASLAM.

The bill (H. R. 23890) granting an increase of pension to Jacob B. Haslam was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob B. Haslam, late of U. S. S. *Princeton* and *Huron*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. FITZGERALD.

The bill (H. R. 23912) granting an increase of pension to James E. Fitzgerald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Fitzgerald, late of Company E, One hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

OSCAR N. COWELL.

The bill (H. R. 23961) granting an increase of pension to Oscar N. Cowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Oscar N. Cowell, late of Company H, Twenty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HUGH STEVENSON.

The bill (H. R. 23966) granting an increase of pension to Hugh Stevenson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh Stevenson, late first lieutenant Company C, Ninety-sixth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY HILL.

The bill (H. R. 23967) granting an increase of pension to Henry Hill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Hill, late of Company C, Fiftieth Regiment Pennsylvania Veteran Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.



## ALEXANDER M'WHORTER.

The bill (H. R. 23968) granting an increase of pension to Alexander McWhorter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander McWhorter, late of Company I, One hundred and first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY E. C. BUTLER.

The bill (H. R. 23971) granting an increase of pension to Mary E. C. Butler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. C. Butler, widow of James Butler, late of Company L, Seventh Regiment United States Cavalry, and to pay her a pension of \$18 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN P. BENNETT.

The bill (H. R. 23974) granting an increase of pension to John P. Bennett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John P. Bennett, late of Company B, Twentieth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THOMAS H. SEED.

The bill (H. R. 23982) granting an increase of pension to Thomas H. Seed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas H. Seed, late of Company A, Sixty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MICHAEL M. FIELD.

The bill (H. R. 23997) granting an increase of pension to Michael M. Field was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael M. Field, late of U. S. S. *Wm. G. Anderson*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN F. GOUGH.

The bill (H. R. 23999) granting an increase of pension to John F. Gough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John F. Gough, late of Company F, Forty-seventh Regiment, and Company D, Twenty-sixth Regiment, Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY HOLLE.

The bill (H. R. 24000) granting an increase of pension to Mary Holle was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Holle, widow of William Holle, alias Peter Cherrol, late of Company B, Fortieth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MICHAEL F. GILRAIN.

The bill (H. R. 24002) granting an increase of pension to Michael F. Gilrain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael F. Gilrain, late of U. S. S. *Vincennes*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## AARON C. SANFORD.

The bill (H. R. 24015) granting an increase of pension to Aaron C. Sanford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron C. Sanford, late of Company E, Sixth Regiment Con-

necticut Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## GEORGE H. BONEY.

The bill (H. R. 24028) granting an increase of pension to George H. Boney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George H. Boney, late of Company K, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ANDREW J. FOOR.

The bill (H. R. 24030) granting an increase of pension to Andrew J. Foor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew J. Foor, late of Company E, One hundred and ninety-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN DOWNEY.

The bill (H. R. 24031) granting an increase of pension to John Downey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Downey, late captain of Company A, One hundred and thirty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARY I. BANTA.

The bill (H. R. 24034) granting an increase of pension to Mary I. Banta was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary I. Banta, widow of Albert Banta, late of Company D, Ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## THEODORE TEEPLE.

The bill (H. R. 24037) granting an increase of pension to Theodore Teeple was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theodore Teeple, late unassigned, Sixteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN C. NELSON.

The bill (H. R. 24061) granting an increase of pension to John C. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John C. Nelson, late second lieutenant Company B, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN MAGINNIS.

The bill (H. R. 24068) granting an increase of pension to John Maginnis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Maginnis, late of Company I, Sixty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## DAVID JONES.

The bill (H. R. 24079) granting an increase of pension to David Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Jones, late of Company C, One hundred and first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## DAVID PRUNKARD.

The bill (H. R. 24397) granting an increase of pension to David Prunkard was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of David Prunkard, late of Company K, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAURAETTE LA FLEUR.

The bill (H. R. 24404) granting a pension to Lauraette La Fleur was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lauraette La Fleur, widow of Asher La Fleur, late of Company H, Fourth Regiment Michigan Volunteer Infantry, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY H. BISHOP.

The bill (H. R. 24405) granting an increase of pension to Mary H. Bishop was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary H. Bishop, widow of Edwin Bishop, late captain Company H, Second Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDMUND JOHNSON.

The bill (H. R. 24406) granting an increase of pension to Edmund Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edmund Johnson, late captain Company G, Thirty-first Regiment New York Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM THOMAS.

The bill (H. R. 24413) granting an increase of pension to William Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Thomas, late of U. S. S. *Wabash, Perry*, and *Princeton*, United States Navy, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VAN C. WILSON.

The bill (H. R. 24414) granting a pension to Van C. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Van C. Wilson, late of Company B, Third Regiment Ohio Volunteer Infantry, war with Spain, and to pay him a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BELLE M. OCKER.

The bill (H. R. 24419) granting a pension to Belle M. Ocker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Belle M. Ocker, widow of David Ocker, late unassigned, One hundred and fifty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLARENCE W. THOMAS.

The bill (H. R. 24483) granting a pension to Clarence W. Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clarence W. Thomas, late of Company H, Fourth Regiment Virginia Volunteer Infantry, war with Spain, and to pay him a pension of \$30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THEODORIC GAGE.

The bill (H. R. 24493) granting an increase of pension to Theodoric Gage was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theodoric Gage, late of Company D, One hundred and eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

A. JUDSON CONANT.

The bill (H. R. 24502) granting an increase of pension to A. Judson Conant was considered as in Committee of the Whole.

It proposes to place on the pension roll the name of A. Judson Conant, late of Company C, Fifty-third Regiment Massachusetts Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. LEITER.

The bill (H. R. 24504) granting an increase of pension to John H. Leiter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Leiter, late of Company I, Fifteenth Regiment Ohio Volunteer Infantry, and Company F, One hundred and sixty-third Regiment Ohio National Guard Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN NYE.

The bill (H. R. 24518) granting an increase of pension to Reuben Nye was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Reuben Nye, late of Company I, Tenth Regiment Minnesota Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID MILLER.

The bill (H. R. 24530) granting an increase of pension to David Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Miller, late of Company H, Ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID E. JEFFERSON.

The bill (H. R. 24531) granting an increase of pension to David E. Jefferson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David E. Jefferson, late of Company C, Fifty-fifth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. REED.

The bill (H. R. 24553) granting an increase of pension to Sarah J. Reed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Reed, widow of William R. Reed, late of Company G, Thirty-eighth Regiment New Jersey Volunteer Infantry, and to pay her a pension of \$16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET LESLEY.

The bill (H. R. 24560) granting an increase of pension to Margaret Lesley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Lesley, widow of John Lesley, late of Company H, Thirty-first Regiment Illinois Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN L. FLANERY.

The bill (H. R. 24577) granting an increase of pension to John L. Flanery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John L. Flanery, late of Company F, Thirty-ninth Regiment Kentucky Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOTHAM A. VINCENT.

The bill (H. R. 24586) granting an increase of pension to Jotham A. Vincent was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jotham A. Vincent, late of Company C, Twenty-second Regiment Michigan Volunteer Infantry, and to pay him a pension of \$24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.



## JOSEPH BROOKS.

The bill (H. R. 24700) granting an increase of pension to Joseph Brooks was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Brooks, late of Company C, Thirtieth Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## FREDERICK G. ACKERMAN.

The bill (H. R. 25016) granting an increase of pension to Frederick G. Ackerman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick G. Ackerman, late of Company D, Forty-seventh Regiment Ohio Volunteer Infantry, and to pay him a pension of \$30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## ABSALOM R. SHACKLETT.

The bill (H. R. 24532) granting an increase of pension to Absalom R. Shacklett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Absalom R. Shacklett, late of Company F, United States Voltigeurs, war with Mexico, and to pay him a pension of \$20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## MARTHA E. MUHLENFELD.

The bill (H. R. 22709) granting a pension to Martha E. Muhlenfeld was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha E. Muhlenfeld, widow of Charles Muhlenfeld, late of Company F, Second Battalion United States Engineers, and to pay her a pension of \$12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## OSCAR O. BOWEN.

The bill (H. R. 11279) to remove the charge of absence without leave from the military record of Oscar O. Bowen. It directs the Secretary of War to remove the charge of absence without leave standing against Oscar O. Bowen, late captain Company C, Forty-seventh New York Infantry Volunteers, on the records of the War Department, and to issue to said Oscar O. Bowen a certificate of honorable discharge. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## JOHN LAVINE.

The bill (H. R. 19932) for the relief of John Lavine was considered as in Committee of the Whole. It directs the Secretary of War to remove the charge of desertion from the military record of the said John Lavine, late private in Company A, Second Regiment Vermont Volunteer Infantry, and to issue to said John Lavine a certificate of honorable discharge bearing even date with the charge of desertion. But no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

## BENJAMIN WARNER.

The bill (S. 3627) removing the charges of desertion and granting an honorable discharge to Benjamin Warner was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That Benjamin Warner hereafter shall be held and considered to have been honorably discharged as a private of Company B, Third New Jersey Cavalry Volunteers, on October 31, 1864, and that an honorable discharge be issued to him by the Secretary of War in accordance with this act: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an honorable discharge to Benjamin Warner."

## ABBIE L. HANFORD.

The bill (H. R. 14322) granting a pension to Abbie L. Hanford was considered as in Committee of the Whole. It pro-

poses to place on the pension roll the name of Abbie L. Hanford, widow of Nathan C. Hanford, late of Company B, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and to pay her a pension of \$8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The VICE-PRESIDENT. This completes the Calendar of pension and military record bills.

## EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After three hours spent in executive session the doors were reopened.

## ORDER OF BUSINESS.

Mr. CLAPP. Mr. President, there are less than thirty unobjectioned bills on the Calendar. I move that the Senate proceed to the consideration of those unobjectioned bills. There will be plenty of time to-night to clear up all the bills represented by anyone in the Chamber at this time, instead of trying now and then to get up one or two, and some Senators getting none considered.

Mr. BEVERIDGE. Will the Senator withhold his motion, that I may report a bill from the Committee on Territories to go to the Calendar?

Mr. CLAPP. Very well; I yield to the Senator for that purpose.

## MINING CLAIMS IN ALASKA.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (H. R. 8984) to amend the laws governing labor or improvements upon mining claims in Alaska, reported it with amendments.

## CENTRAL COLORADO POWER COMPANY.

Mr. PATTERSON. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 24118) granting to the Central Colorado Power Company a right of way over certain public lands for irrigation and electric-power plants, in the State of Colorado, to report it favorably without amendment, and I submit a report thereon. I ask for the present consideration of the bill.

The VICE-PRESIDENT. The bill will be read for the information of the Senate if there be no objection.

Mr. WHYTE. I object.

The VICE-PRESIDENT. Objection is made, and the bill will be placed on the Calendar.

## LANDS IN WYOMING.

Mr. WARREN. I ask leave to call up the bill (S. 8534) providing that the State of Wyoming be permitted to relinquish to the United States certain lands heretofore selected and to select other lands from the public domain in lieu thereof.

The VICE-PRESIDENT. The bill will be read for the information of the Senate if there be no objection.

The Secretary read the bill; and, by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that upon the delivery to the Secretary of the Interior by the State of Wyoming of its properly executed and duly recorded deed or deeds reconveying to the United States of America, in fee simple, certain lands heretofore selected by and certified to that State under the provisions of an act entitled "An act to provide for the admission of the State of Wyoming into the Union, and for other purposes," approved July 10, 1890, to wit, all those described in the bill, the State shall be authorized and permitted to select an equal number of acres from the unappropriated public lands of the United States in the State in the same manner, for the same purposes, and subject to the same conditions and limitations under which the lands so reconveyed were selected and held.

Section 2 provides that the lands so reconveyed shall be restored to and become a part of the public domain and be subject to disposal by the Government in the same manner in which other public lands of a like character are disposed of.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. CLAPP. I move that the Senate proceed to the consideration of unobjectioned bills on the Calendar.

Mr. KEAN. Pending that, I move that the Senate do now adjourn.

Mr. WARREN. If the Senator from New Jersey will withhold the motion for a few moments, I suggest that we ought to adopt this course in order to provide for the printing, so that we may not get in the knot we were in on the last day of the last session. We are asked to forward as many of these mat-

ters as we can early, and if we pass a few bills to-night it will help along the printing.

Mr. KEAN. Mr. President, I insist on my motion.

The VICE-PRESIDENT. The Senator from New Jersey moves that the Senate adjourn. [Putting the question.] By the sound the noes have it. The noes have it, and the Senate refuses to adjourn.

Mr. DANIEL. I ask for the yeas and nays.

Mr. KEAN. Of course if I wanted—

The VICE-PRESIDENT. The yeas and nays are demanded.

Mr. KEAN. I did not call for the yeas and nays.

The VICE-PRESIDENT. The yeas and nays are demanded by the Senator from Virginia.

Mr. McCREARY. Mr. President, I suggest that there is no quorum present.

Mr. WARREN. I hope the Senator will not do that.

Mr. McCREARY. It is now nearly midnight.

The VICE-PRESIDENT. The Senator from Kentucky suggests the absence of a quorum. The Secretary will call the roll.

Mr. KEAN. I move that the Senate do now adjourn.

The motion was agreed to; and (at 11 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 26, 1907, at 11 o'clock a. m.

#### NOMINATIONS.

*Executive nominations received by the Senate February 25, 1907.*

##### ASSAYER.

Thomas B. Miller, of Montana, to be assayer in charge of the United States assay office at Helena, Mont., in place of Benjamin H. Tatem, resigned.

TO BE PLACED ON THE RETIRED LIST OF THE ARMY WITH THE RANK OF BRIGADIER-GENERAL.

Col. Alfred C. Markley, Thirteenth Infantry.

Col. Frank H. Phipps, Ordnance Department.

Col. Amos Stickney, Corps of Engineers.

Col. Henry B. Osgood, Assistant Commissary-General.

Col. Garrett J. Lydecker, Corps of Engineers.

##### COLLECTOR OF CUSTOMS.

Cornelius W. Pendleton, of California, to be collector of customs for the district of Los Angeles, in the State of California, in place of John C. Cline, whose term of office will expire by limitation on March 2, 1907.

##### SURVEYOR OF CUSTOMS.

Jeremiah J. McCarthy, of Massachusetts, to be surveyor of customs in the district of Boston and Charlestown, in the State of Massachusetts. (Reappointment.)

##### ASSISTANT TREASURER.

Charles A. Bosworth, of Ohio, to be assistant treasurer of the United States at Cincinnati, Ohio. (Reappointment.)

##### PROMOTIONS IN THE NAVY.

Capt. Seth M. Ackley to be a rear-admiral in the Navy from the 24th day of February, 1907, vice Rear-Admiral Joseph E. Craig, retired.

Capt. Benjamin F. Tilley to be a rear-admiral in the Navy from the 24th day of February, 1907, with Capt. Seth M. Ackley, an additional number in grade.

Second Lieut. John H. White to be a first lieutenant in the Marine Corps from the 29th day of November, 1906, vice First Lieut. John W. McClaskey, retired.

Boatswain John C. Thompson, United States Navy, retired, to be a chief boatswain, to rank with but after ensign, on the retired list of officers of the Navy, from the 29th day of June, 1906, in accordance with a provision contained in the naval appropriation act approved on that date.

##### RECEIVER OF PUBLIC MONEYS.

William C. Deming, of Cheyenne, Wyo., to be receiver of public moneys at Cheyenne, Wyo., vice Edward A. Slack, term expired.

##### REGISTER OF LAND OFFICE.

William E. Chaplain, of Wyoming, to be register of the land office at Cheyenne, Wyo., his term having expired. (Reappointment.)

##### POSTMASTERS.

###### ILLINOIS.

Mark L. Kennedy to be postmaster at Mounds, in the county of Pulaski and State of Illinois. Office became Presidential October 1, 1906.

###### INDIANA.

George E. Murray to be postmaster at Rensselaer, in the county of Jasper and State of Indiana, in place of Frank B. Meyer. Incumbent's commission expired February 11, 1907.

###### IOWA.

Joseph I. Myerly to be postmaster at Des Moines, in the county of Polk and State of Iowa, in place of John McKay, sr. Incumbent's commission expired December 9, 1906.

###### KANSAS.

Newman Waring to be postmaster at Ottawa, in the county of Franklin and State of Kansas, in place of John P. Harris. Incumbent's commission expires February 28, 1907.

###### MISSOURI.

Edward J. Schmidt to be postmaster at Centralia, in the county of Boone and State of Missouri, in place of Joseph M. Phelps. Incumbent's commission expired May 8, 1906.

###### NEW YORK.

Simon D. Replogle to be postmaster at Roslyn, in the county of Nassau and State of New York, in place of William Witte, jr., resigned.

###### NORTH DAKOTA.

Michael B. De la Bere to be postmaster at Sheldon, in the county of Ransom and State of North Dakota, in place of Michael B. De la Bere. Incumbent's commission expired February 12, 1907.

###### OHIO.

Elias R. Monfort to be postmaster at Cincinnati, in the county of Hamilton and State of Ohio, in place of Elias R. Monfort. Incumbent's commission expired February 19, 1907.

Lee G. Pennock to be postmaster at Urbana, in the county of Champaign and State of Ohio, in place of Roger H. Murphey. Incumbent's commission expires March 13, 1907.

###### OREGON.

James S. Van Winkle to be postmaster at Albany, in the county of Linn and State of Oregon, in place of Samuel S. Train. Incumbent's commission expires March 18, 1907.

###### PENNSYLVANIA.

William R. Flad to be postmaster at Freeland, in the county of Luzerne and State of Pennsylvania, in place of Benjamin F. Davis. Incumbent's commission expired April 10, 1906.

Freeman J. Hoffman to be postmaster at Somerset, in the county of Somerset and State of Pennsylvania, in place of Catharine A. Endsley. Incumbent's commission expired June 30, 1906.

R. M. Tubbs to be postmaster at Shickshinny, in the county of Luzerne and State of Pennsylvania, in place of Tom C. Hill. Incumbent's commission expired April 10, 1906.

###### SOUTH CAROLINA.

John W. Dunovant to be postmaster at Chester, in the county of Chester and State of South Carolina, in place of John W. Dunovant. Incumbent's commission expired January 14, 1907.

Charles J. Shannon to be postmaster at Camden, in the county of Kershaw and State of South Carolina, in place of Charles J. Shannon. Incumbent's commission expired December 17, 1906.

###### SOUTH DAKOTA.

Archibald Shaw to be postmaster at Deadwood, in the county of Lawrence and State of South Dakota, in place of Willis H. Bonham. Incumbent's commission expired December 20, 1906.

###### WISCONSIN.

Arthur R. Boerner to be postmaster at Cedarburg, in the county of Ozaukee and State of Wisconsin, in place of Leopold E. Jochem. Incumbent's commission expired February 4, 1907.

William Hausmann to be postmaster at West Bend, in the county of Washington and State of Wisconsin, in place of Byron Fairbanks. Incumbent's commission expired February 4, 1907.

#### WITHDRAWAL.

*Executive nomination withdrawn from the Senate February 25, 1907.*

Willis H. Bonham to be postmaster at Deadwood, in the State of South Dakota.

#### CONFIRMATIONS.

*Executive nominations confirmed by the Senate February 25, 1907.*

##### ASSISTANT TREASURER AT NEW YORK.

Hamilton Fish, of New York, to be Assistant Treasurer of the United States at New York, N. Y.

##### REGISTERS OF THE LAND OFFICE.

Albert Kircher, of Miles City, Mont., to be register of the land office at Miles City, Mont.

William E. Chaplin, of Wyoming, to be register of the land office at Cheyenne, Wyo.

Ernest D. R. Thompson, of Utah, to be register of the land office at Salt Lake City, Utah.



## RECEIVERS OF PUBLIC MONEYS.

M. M. Kaighn, of Salt Lake City, Utah, to be receiver of public moneys at Salt Lake City.

William C. Deming, of Cheyenne, Wyo., to be receiver of public moneys at Cheyenne, Wyo.

## COLLECTORS OF CUSTOMS.

William H. Lucas, of Florida, to be collector of customs for the district of St. Johns, in the State of Florida.

Cornelius W. Pendleton, of California, to be collector of customs for the district of Los Angeles, Cal.

## SURVEYORS OF CUSTOMS.

Samuel L. Hain, of Texas, to be surveyor of customs for the port of Houston, in the State of Texas.

Sydney O. Weeks, of New York, to be surveyor of customs for the port of Patchogue, in the State of New York.

## ASSAYER.

Thomas B. Miller, of Montana, to be assayer in charge of the assay office at Helena, Mont.

## POSTMASTERS.

## NEW YORK.

Harrold R. Every to be postmaster at Athens, in the county of Greene and State of New York.

## PENNSYLVANIA.

Samuel F. Booher to be postmaster at Kittanning, in the county of Armstrong and State of Pennsylvania.

Augustus M. High to be postmaster at Reading, in the county of Berks and State of Pennsylvania.

Orrin Serfass to be postmaster at Easton, in the county of Northampton and State of Pennsylvania.

## TREATY WITH THE DOMINICAN REPUBLIC.

The injunction of secrecy was removed February 25, 1907, from the proceedings on the consideration and ratification of a convention (Ex. E, 59th Cong., 2d sess.) between the United States and the Dominican Republic providing for the assistance of the United States in the collection and application of the customs revenues of the Dominican Republic, signed at Santo Domingo City on the 8th day of February, 1907; and the vote on ratification was—yeas 43, nays 19, as follows:

## YEAS—43.

Allee	Cullom	Heyburn	Penrose
Ankeny	Curtis	Kean	Perkins
Beveridge	Depew	Kittredge	Piles
Burkett	Dick	Knox	Scott
Burnham	Flint	Lodge	Smoot
Burrows	Foraker	Long	Spooner
Carter	Fulton	McCumber	Sutherland
Clapp	Gallinger	Millard	Warner
Clark, Wyo.	Gamble	Mulkey	Warren
Clarke, Ark.	Hale	Nixon	Wetmore
Crane	Hemenway	Patterson	

## NAYS—19.

Bacon	Culberson	McCreary	Rayner
Berry	Daniel	Mallory	Simmons
Blackburn	Dubois	Newlands	Stone
Carmack	Frazier	Overman	Whyte
Clay	Latimer	Pettus	

The following pairs were announced:

Mr. ELKINS and Mr. McENERY for, with Mr. BAILEY against.  
Mr. DRYDEN and Mr. DU PONT for, with Mr. FOSTER against.  
Mr. HOPKINS and Mr. NELSON for, with Mr. McLAURIN against.

Mr. FRYE and Mr. DOLLIVER for, with Mr. MARTIN against.  
Mr. ALLISON and Mr. ALDRICH for, with Mr. MORGAN against.  
Mr. LA FOLLETTE and Mr. BULKELEY for, with Mr. MONEY against.

Mr. PLATT and Mr. PROCTOR for, with Mr. TALIAFERRO against.  
Mr. SMITH and Mr. HANSBROUGH for, with Mr. TILLER against.  
Mr. DILLINGHAM and Mr. BRANDEGEE for, with Mr. TILLMAN against.

Not voting: Mr. CLARK of Montana.

## HOUSE OF REPRESENTATIVES.

MONDAY, February 25, 1907.

The House met at 10 o'clock a. m.

The Clerk read the following:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,  
Washington, D. C., February 25, 1907.

I hereby designate Hon. WILLIAM A. JONES, of Virginia, as Speaker pro tempore during this day.

J. G. CANNON, Speaker.

Mr. JONES of Virginia took the chair as Speaker pro tempore. The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

O Thou who hast made us after Thine own image and filled our breasts with longings, hopes, and aspirations which are

ever leading us onward and upward to larger life. We thank Thee for the pure, the noble, the true, who in their conduct strive continually to measure up to the standard of perfected manhood in Jesus Christ. We thank Thee for the ties of love and affection which bind us together, so that when one rejoices all rejoice, when one suffers all suffer with him, and when one is taken from our midst in death the heart is bowed in sorrow and we cherish the words he uttered, the things he did, above all the service he freely gave to his fellow-men.

"Whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things."

Bless, we beseech Thee, the service of the hour and help us to cherish in our hearts the memory of him for whom it is set apart, that we copy his virtues and live the larger life of which he was a conspicuous example in his home, in his community, and on the floor of this House, where he rendered faithful and efficient service for his country. Comfort his family, his friends and colleagues, and all who mourn his loss with the blessed assurance that though he may not return to us we shall go to him and dwell with him forever; and glory and honor and praise be Thine, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Sunday, February 24, was read and approved.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. MANN] will please take the chair.

Mr. MANN took the chair as Speaker pro tempore.

## EULOGIES ON THE LATE HON. JOHN F. RIXEY.

Mr. JONES of Virginia. Mr. Speaker, I offer the following resolutions.

The Clerk read as follows:

*Resolved*, That as a mark of respect to the Hon. JOHN F. RIXEY, late a Member of this House from the State of Virginia, and in pursuance of the order heretofore made, the business of the House be now suspended to enable his associates to pay fitting tribute to his high character and distinguished services.

*Resolved*, That the Clerk communicate these resolutions to the Senate.

*Resolved*, That the Clerk be, and he is hereby, instructed to send a copy of these resolutions to the family of the deceased.

The resolutions were agreed to.

Mr. JONES of Virginia. Mr. Speaker, when, on Saturday, a fortnight ago, the announcement of the death of my late colleague, the Hon. JOHN F. RIXEY, was made in this House, it came with startling suddenness to most of us, for, although for many sad and dreary months he had been suffering from a deadly malady, few outside of his immediate family and closest friends realized that the grim destroyer had long since marked him for his own. There was little in his appearance and bearing, and far less in the lightsome and energetic manner in which he met and so faithfully discharged the manifold duties of his high position, betokening the dread disease which even then was steadily and surely doing its deadly work. With high courage, patriotic purpose, and a rare devotion to the interests of the constituency which had so long delighted to honor him, he positively refused to quit his post of duty upon this floor, although repeatedly and earnestly admonished by his physicians that to remain was to seriously endanger if not to sacrifice his life. Hence it was that many of his friends were shocked as well as grieved when it became known that almost immediately upon the adjournment of Congress he had gone away in quest of health; first, to the mountains of North Carolina; then, to Colorado, and, later still, to northern New York, in what proved a vain effort to stay the encroachments of a disease which has ever baffled the physicians' skill, and which no climate, warmed by the sun's bright circle, can surely and permanently eradicate. And so, despairing of recovery and resigned to a fate which he recognized to be inexorable, he quietly returned in the early winter season to the home in this city of his brother, Admiral Presley M. Rixey, the Surgeon-General of the Navy, there to await with submissive patience, sublime fortitude, and an inspiring Christian resignation the final summons to his eternal reward. It is not possible to recall without a feeling of sadness that since the beginning of the Fifty-ninth Congress "death's inexorable doom" has been pronounced against fifteen of our comrades, eleven of whom served in this House and four in the Senate Chamber; but never, I fain would believe, has the icy hand of the grim destroyer been laid upon a Member of this body who was more universally respected and esteemed and more generally beloved.

So to-day, amid the stern exactions of duty which invariably accompany and are inseparable from the closing hours of a session of Congress, we have suspended the work of legislation in